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May 29, 2019

Via ECF

The Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street, Room 2550
New York, New York 10007

RE: *In re Namenda Direct Purchaser Antitrust Litig.*, No. 15-cv-07488-CM-RWL

Dear Judge McMahon,

The only rationalization Forest's counsel has offered for waiting five months to disclose the DRL Memo is that "at the time the parties were working toward court ordered mediation." Reply Mem. in Supp. of Forest's Mot. to Supplement, ECF No. 717 at 3. Not only does this explanation make no sense – *e.g.*, Forest claims the DRL Memo enhances its litigation position, and collaterally its negotiating leverage – but it implicitly admits an even more egregious act of concealment. Forest's counsel has conceded that they formulated a plan to use the DRL Memo before the March 6, 2019 mediation. Therefore, Forest's counsel knew *before* the March 15, 2019 status conference with this Court to set the trial schedule that they were contemplating supplementing Forest's expert reports, which Forest's counsel concedes will require additional discovery under any scenario. ECF No. 717 at 9. Yet, Forest's counsel said nothing about the DRL Memo or their intention to petition this Court to supplement expert reports at the March 15th status conference.

Moreover, this Court was clear in its March 14, 2019 Order concerning the Direct Purchaser Plaintiffs' ("DPPs") motion to bind Forest to its privilege election ("Election") that it would not tolerate the use of evidence at trial that had been withheld in discovery on privilege grounds. ECF No. 684. Forest's Election expressly states that Forest *does not* "intend to affirmatively rely on its subjective beliefs to rebut any argument that [] its position in the patent case was weak." ECF No. 714-1 at 5. In strict compliance with its Election, Forest steadfastly refused to provide discovery on that subject. Yet, at the March 15th status conference, Forest's counsel seemed to disingenuously argue that Judge Francis's Sept. 25, 2017 Order (ECF No. 394) requiring Forest to produce five documents over which Forest's Election expressly waived privilege, and which are ***wholly unrelated to patent merits***, meant that Forest can now offer its purported subjective patent views concerning its patent, the patent suit and whether the patent strength dictated the generic entry date in its patent settlements. Tr. 7:9-16 (Mar. 15, 2019), ECF No. 689. That is nonsensical as demonstrated below. *See also* Pls.' Opp'n to Defs.' Mot. to Supplement at 3-5 (detailing Judge Francis's privilege determinations). But most tellingly, and as mentioned above, at no point during the March 15th conference did Forest's counsel suggest that Forest would seek to buttress the evidence of its subjective beliefs regarding patent strength with new expert opinion grounded on the DRL Memo, even though it already determined it would. Forest's counsel deliberately concealed this strategy from the Court and DPPs.

Forest's disingenuousness is further apparent in its Mem. in Supp. of its Mot. to Supplement its Expert Reports. There, Forest states that the DRL Memo "provides direct evidence of *the generic challengers'* views of the patent case," and that it "show[s] that *the generics (like Forest)* believed that the *Markman* doomed the patent challenge." ECF No. 695 at 1, 7 (emphases added). DPPs' Opp'n showed that this intended use violates the Election's commitment *not* to "rely on its subjective beliefs to rebut any argument that [] its position in the patent case was weak," and that Forest withheld its subjective patent views during discovery. ECF No. 713 at 1, 3-7. In its Reply, Forest tried to deny that it was using the DRL Memo as a proxy for its and the generics' subjective views of patent strength, and claiming instead that its use is solely to support a purported *objective* analysis of what a reasonable litigant would have believed:

2. There is No Risk of Unfair Prejudice Because Forest's Experts Do Not Opine That the DRL Memo Reflects the Views of All Generics or of Forest.

...

But these assertions – that Forest is somehow using the DRL Document to show what Forest and all of the other generics believed – are based on DPPs' creative interpretation of a single sentence from Forest's brief.

...

[N]either Judge McKelvie nor Dr. Fowdur take the position that DRL's assessments are the views of the other generic challengers or Forest[.]

ECF No. 717 at 6 (emphasis in original). This is another blatant misrepresentation. Dr. Fowdur's proposed supplement expressly states:

The newly available Dr. Reddy's document *supports the view of Forest executives* that the claim construction ruling made it *highly likely that Forest would prevail in the patent litigation*.

...

The Dr. Reddy's document also *mirrors the view of Forest executives* that the 2009 *Markman* ruling was highly favorable to Forest.

ECF no. 696-7 at ¶¶ 5, 9 (emphases added).

Dr. Fowdur provides no citation, but the only "Forest executives" who testified to their alleged subjective beliefs that Forest had a strong patent, was likely to win, and thus would not agree to earlier generic entry, were Charles Ryan and David Solomon. DPPs have separately contested the admissibility of this testimony as contrary to the Election. *See* Pls' Mot. in *Limine* No. 1 at 13-16, ECF No. 739. The circumstances of this testimony are also highly suspect.

As mentioned, Judge Francis required Forest to elect and identify for which state-of-mind defenses it would waive or assert privilege. Order at 14-15 (ECF No. 249) (May 19, 2017). Forest expressly waived privilege over the Lexapro Amendment's "independence from the then-pending litigation[] and respective settlement agreement[]," and whether "the Namenda IR patent litigation settlement agreements provided the generic competitors any consideration beyond the express terms of each of the final agreements." Election at §§ A, C, ECF No. 714-1 at 4-5. Thus, Judge Francis ruled that Forest had to produce five documents that "appear to link the Namenda settlement[] with the side agreement[] with Mylan . . ." Order at 1 (Sept. 25, 2017), ECF No. 394. Critically, those documents are silent on patent strength or how it affected Forest's negotiating posture *vis-a-vis* Mylan as to Mylan's entry date. But they are quite illuminating in linking the consideration that Mylan received through the Lexapro Amendment to the settlement

of the Namenda patent litigation. *See* ECF No. 761-11 - 761-16.

Forest then provided two post-discovery 1-hour 30(b)(6) depositions of Dr. Ryan and Mr. Solomon limited to subsets of the five documents. During these depositions, Forest's executives gratuitously, for the first time, and not in response to DPPs' wholly unrelated questions, asserted their subjective beliefs that Forest's patent was strong and that as a result, Forest allegedly would not have agreed to earlier generic entry. *See* Pls' Mot. in *Limine* No. 1 at 13-16, ECF No. 739.

Here is Forest's game in a nutshell: First, recognizing the implications of its decision to preclude discovery concerning patent strength, Forest reversed course post-discovery after Judge Francis ordered the production of damning documents establishing a link between the Lexapro Amendment and Mylan's Namenda patent settlement. It had its two designated witnesses testify to Forest's alleged subjective views of the patent – a subject over which Forest elected *not* to waive the attorney-client privilege and repeatedly blocked discovery. *Id.* at 5-13. Then Forest apparently arranged with DRL, its co-defendant in the EPP case and with whom it is now firmly aligned in that case, to selectively disclose a single document, the DRL Memo, allegedly showing DRL's subjective views of the DRL patent case that *DRL* previously blocked *Forest* and DPPs from discovering in the DPP case. *See* Pls.' Opp. to Defs.' Mot. to Supplement at 6, ECF No. 713. Finally, Forest now attempts to use the DRL Memo as a pretext for its experts to validate its executives' purported subjective patent views, despite its commitment via the Election not to disclose these subjective views as part of its defense. Despite its obvious departure from its Election, Forest inexplicably has not revised its privilege log or produced any of the hundreds or thousands of documents that would have to be produced if Forest were permitted to change its Election because they are subject to the continuing production obligations of Fed. R. Civ. P. 26(e). This deceitful gambit should not be countenanced.

Further, contrary to Forest's casual suggestion that the DRL Memo is probative in the DPP action, it has at best *de minimis* relevance, but is highly prejudicial. Pls.' Opp'n to Defs.' Mot. to Supplement describes how the DRL Memo is not probative of either Forest's or Mylan's subjective beliefs, and thus the inappropriateness of using it to bolster the testimony of Dr. Ryan and Mr. Solomon as to Forest's alleged subjective views of the patent strength. ECF No. 713 at 11-17. As mentioned *supra*, Dr. Fowdur's proposed supplement flatly contradicts the claim in Forest's Reply that Forest is not trying to use the DRL Memo or the proposed supplemental expert reports to demonstrate Forest's subjective patent views. As to Forest's other stated purpose for the DRL Memo – to support its experts' opinions on what a reasonable patent litigant would have believed – the DRL Memo reflects the opinion of an unknown author, on an unknown date, of at best one generic that settled with Forest in the middle-of-the-pack of 14 first filers. Unlike the DPPs, the EPPs named the bulk of the generics as defendants, and our understanding is that EPPs intend to prove that each agreement is an *Actavis* violation. Forest is aligned with those defendants in the EPP case as jointly and severally liable co-conspirators, with a common interest in having one generic (DRL) waive privilege and reveal evidence helpful to them, while simultaneously having the other generics maintain privilege to conceal any evidence to the contrary. Throughout discovery in the DPP case, those same generics, including DRL, steadfastly asserted privilege on patent and settlement views (copious examples are available at the Court's request). Without full discovery of these generics, including DRL, DPPs cannot determine whether the DRL Memo is truly representative of all generics' patent and settlement views or merely an outlier. Although Forest's Reply Br. in Supp. of its Mot. to Supplement suggests that this plain prejudice goes to the weight of the evidence (ECF No. 717 at

5, 8), it actually goes to the very reliability of the DRL Memo for the use that Forest intends.

Forest has argued that any prejudice could be cured with limited discovery. DPPs beg to differ. Forest's proposal would prejudicially deprive DPPs of contextual evidence and evidence potentially at odds with Forest's assertions. Forest's privilege log has more than 15,000 entries. If Forest waived privilege beyond the explicit waivers in its Election, and is now made to produce all the material it should have produced had it timely elected to argue its subjective patent views, then DPPs would require massive new discovery. A special master would be required to review at least 1,891 patent-related documents. *See* Exs. 1, 2 hereto (796 highly likely, 1,095 likely). Motions to compel, and do-overs of many depositions and expert reports would follow. And if the Court determines that the DRL Memo is even relevant despite its silence as to Forest's and Mylan's state of mind, and despite Mylan's vastly different negotiating leverage and patent defenses (ECF No. 713 at 11-17), DPPs would need discovery from DRL in light of its subject matter waiver (*id.* at 8-9), and possibly from the other similarly-situated generics *if* they now want to waive the privilege as to their subjective views of the patent case.

But it should not come to that. We urge that there is a better way forward – the way Judge Francis mandated. *Bilzerian* and its progeny hold that a litigant cannot put its state of mind at issue when it has withheld evidence of its state of mind from its adversary. *United States v. Bilzerian*, 926 F.2d 1285, 1293 (2d Cir. 1991) (“Because defendant did not testify as to his good faith, the privileged communications were not introduced at trial.”); *id.* (“... courts cannot sanction the use of the privilege to prevent effective cross-examination on matters reasonably related to those introduced in direct examination.”). The *Bilzerian* line of cases holds that the cure for a late change in privilege tactics is preclusion, not more discovery. As Judge Wood explained in a similar procedural context:

Defendants argue that Plaintiffs' motion in *limine* is “no more than a disguised and untimely motion to compel.” [] This argument can be rejected outright . . . Plaintiffs are not seeking privileged communications; rather they are seeking to preclude argument and testimony where Defendants have already blocked inquiry on the basis of privilege. In any event, a motion to compel is not a prerequisite to invoking the *Bilzerian* rule. Rather, *Bilzerian* provides that a party who intends to rely at trial on a good faith defense must make a full disclosure during discovery; failure to do so constitutes a waiver of that defense.

Arista Records LLC v. Lime Grp. LLC, 2011 U.S. Dist. LEXIS 42881, at *9 (S.D.N.Y. Apr. 14, 2011) (quotations omitted). Here, additional discovery cannot cure the harm unless the Court can compel all generic defendants in the EPP case to waive privilege. And even if it could, further discovery will only unduly delay the trial set for Oct. 21, 2019. Forest should be held to its Election and the case should proceed to trial as scheduled. Based on this same rationale, DRL should be held to the privilege objections that it asserted in this case and should not be allowed to insert the DRL Memo, by and through Forest as its proxy, into this case.

Respectfully,

/s/ Bruce E. Gerstein

Bruce E. Gerstein

Exhibit 1

LEGEND:

There are 15,481 documents responsive to Direct Purchaser Plaintiffs' ("DPP") requests for production, but withheld from production, on Forest's privilege log. On March 14, 2019, Plaintiffs filed their motion to enforce Forest's election not to waive privilege. Exhibit 10 to that motion was a text-based search of Forest's privilege log for documents potentially addressing Forest's subjective beliefs regarding the strength or weakness of its patent or patent litigation. ECF No. 686-10. See also Pls.' Motion in Limine No. 1, Ex. 10, ECF No. 761-10. That search yielded roughly 6,000 hits. Since then, Plaintiffs have attempted to further narrow the field of documents likely to contain Forest's withheld subjective views regarding patent strength or weakness. DPPs' two searches appended here reflect that attempt.

First, DPPs narrowed the date range search of the privilege log from a time shortly before generic drug companies were first entitled to file Paragraph IV certifications for the Namenda IR NDA (i.e., October 16, 2007) until the time when Mylan's stipulation of dismissal was filed in the patent court (i.e., August 26, 2010). This yielded 3,818 hits. Second, through a review of the 3,818 document titles, authors and recipients, DPPs identified 1,927 documents that seemed less likely to contain useful information. These documents were removed from the list. Of the remaining 1,891 documents, DPPs divvied them into two sets: 796 documents that seemed highly likely to contain useful information (this Exhibit 1) and 1,095 documents that are likely (albeit less so) to contain useful information (Exhibit 2 hereto).

DPPs' attempt to identify documents that would serve as a starting point for in camera review should not be interpreted as waiving any right to in camera review with respect to other documents. For example, DPPs' identification is based on document titles provided by Forest and do not necessarily reflect all of the issues addressed in a particular document. As another example, it is possible that documents dated well after the Mylan settlement and stipulation of dismissal are retrospective and reflect Forest's subjective beliefs at the time of the settlement. Accordingly, if the Court orders a reopening of discovery, DPPs reserve the right to identify additional documents for in camera review.

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1	ANDA Challenges for Memantine	10/15/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, william meury
2	Namenda Pre-Litigation Timeline_(12155819_1) (2).DOC	10/15/2007	IT	
3	Namenda Pre-Litigation Timeline_(12155819_1).DOC	10/15/2007	IT	
4	FW: Namenda Preliminary Assessment and Action List	10/15/2007	charles ryan	eric agovino
5	FW: Namenda Pre-Litigation Timeline	10/15/2007	charles ryan	eric agovino
6	ANDA Challenges for Memantine	10/15/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, william meury
7	Namenda Pre-Litigation Timeline_(12155819_1) (2).DOC	10/15/2007	IT	
8	FW: Namenda Preliminary Assessment and Action List	10/15/2007	charles ryan	eric agovino
9	Namenda Pre-Litigation Assessment of Possible Arguments and Responses_(12155822_1).DOC	10/15/2007	IT	
10	Namenda Pre-Litigation Assessment of Possible Arguments and Responses_(12155822_1).DOC	10/15/2007	IT	
11	Namenda Pre-Litigation Assessment of Possible Arguments and Responses_(12155822_1).DOC	10/15/2007	IT	
12	FW: ANDA Challenges for Memantine	10/18/2007	charles ryan	eric agovino
13	Namenda Pre-Litigation Timeline_(12155819_1) (2).DOC	10/18/2007	IT	
14	10-19-07 Para IV Memo-Final.doc	10/19/2007	lz	
15	10-19-07 Para IV Memo - FINAL.pdf	10/22/2007	lzamot	
16	Namenda Nullity Proceeding	11/9/2007	gerald flattmann	lauren d'antuono

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No.	Document Title	Document Date	Author	All Recipients
17	Namenda Nullity Proceeding	11/9/2007	gerald flattmann	lauren d'antuono
18	2007-09-04 Namenda Status Presentation.pdf	11/30/2007	no Author	
19	2007-08-07 Letter from Sage to Wolff re Enclosed CDs Pertinent to <i>Forest v. Forest</i> , <i>Forest v. Forest</i> , and Application for <i>Forest v. Forest</i> A2.pdf	12/3/2007	no Author	
20	2007-11-02 Email from Jochum (Merz) to JonesDay, Kirkland of English Trans of Merz <i>Forest v. Forest</i> , <i>Forest v. Forest</i> Reply in the German Nullity Action.pdf	12/3/2007	no Author	
21	2007-10-25 Email from Sage to Kirkland, Merz, Jones Day, Forest re Reception of Actavis <i>Forest v. Forest</i> , <i>Forest v. Forest</i> Paragraph IV Certification.pdf	12/3/2007	no Author	
22	2007-08-22 Email from Sage to Flattmann re CMCC Additional Information Request and Common Legal Interest Agreement.pdf	12/3/2007	no Author	
23	12-7-07 Para IV Memo-Final.doc	12/7/2007	no Author	
24	Fw: 2007-12-06 Email from Agovino (Forest Labs) to Flattman, Cerrito (JD), Jochum (Merz) and Ryan (Forest Labs) attaching 2007-12-05 Letter from Rakoczy (Cobalt) to Merz and Forest Labs: Cobalt's Paragraph IV Notice letter (5 mg and 10 mg).	12/7/2007	wayne leblanc	christopher meatto, joseph cali, steven wattenberg, wayne leblanc
25	FW: Namenda Presentation (Final)	12/8/2007	eric agovino	michael ciraolo
26	Fw: Namenda Presentation (Final)	12/8/2007	gerald flattmann	charles ryan, eric agovino, eric stops, f. dominic cerrito, patrick jochum
27	12_12_07 Client Presentation_(12256742_8).PPT	12/8/2007	installer	

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No.	Document Title	Document Date	Author	All Recipients
28	Re: Art cited by Orchid	12/14/2007	andres sawicki	wayne leblanc
29	Fw: Para IV Notification by Upsher-Smith Laboratories	12/14/2007	gerald flattmann	wayne leblanc
30	Fw: neuraxpharm Nullity Action	12/17/2007	gerald flattmann	wayne leblanc
31	Nullity Action of neuraxpharm _Briefs.pdf	12/17/2007	no Author	
32	Re: Reference Pull Request	12/17/2007	john fitzgerald	#ny library services, christopher meatto, wayne leblanc
33	Re: Reference Pull Request - some references are attached	12/17/2007	john fitzgerald	christopher meatto, wayne leblanc
34	Rothman SM Trends in Neurosci 1987 Excitotoxicity and the MNDA receptor.pdf	12/17/2007	no Author	
35	Stedmans Med Dict 26th ed 1995 p 894.pdf	12/17/2007	no Author	
36	CPY Document Subject	12/17/2007	CPY Document Author	
37	Fleischacker WW Prog Neuro- psychopharm Bio Psych 1986 Memantine in the treatment 1986.pdf	12/17/2007	no Author	
38	2007-12-19 Email w Attach from Jochum (Merz) to Flattmann (KE) re Summary of Oral Hearing in the German Nullity Proceedings.pdf	12/19/2007	no Author	
39	Fw: From Charles Ryan - Memantine Para IV letters 2 of 2	12/19/2007	gerald flattmann	wayne leblanc
40	Fw: Summary of oral hearing in the german nullity proceedings	12/19/2007	gerald flattmann	wayne leblanc
41	Summary of GenPharm and Mylan Para IV arguments.doc_(12310434_1).DOC	12/19/2007	IT	
42	Summary of Ranbaxy Para IV arguments_(12310466_1).DOC	12/19/2007	IT	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
43	Summary of Lupin Para IV arguments_(12310586_1).DOC	12/19/2007	IT	
44	Summary of Upsher-Smith Para IV arguments.doc_(12309658_1).DOC	12/19/2007	IT	
45	Fw: Para IV by Ranbaxy	12/19/2007	wayne leblanc	wayne leblanc
46	Fw: Summary of oral hearing in the german nullity proceedings	12/19/2007	wayne leblanc	wayne leblanc
47	Summary of Ranbaxy Para IV arguments_(12310466_1).DOC	12/20/2007	IT	
48	Summary of Upsher-Smith Para IV arguments.doc_(12309658_1).DOC	12/20/2007	IT	
49	Summary of Lupin Para IV arguments_(12310586_1).DOC	12/20/2007	IT	
50	Summary of GenPharm and Mylan Para IV arguments.doc_(12310434_1).DOC	12/20/2007	IT	
51	Namenda Notification Summaries	12/20/2007	gerald flattmann	charles ryan, eric agovino, eric stops, f. dominic cerrito, melanie rupert, patrick jochum
52	Summary of GenPharm and Mylan Para IV arguments.doc_(12310434_1).DOC	12/20/2007	IT	
53	Summary of Ranbaxy Para IV arguments_(12310466_1).DOC	12/20/2007	IT	
54	Summary of Lupin Para IV arguments_(12310586_1).DOC	12/20/2007	IT	
55	Summary of Upsher-Smith Para IV arguments.doc_(12309658_1).DOC	12/20/2007	IT	
56	Pragraph IV Notices - Master Summary_(12314652_1).DOC	12/21/2007	IT	
57	Pragraph IV Notices - Master Summary_(12314652_1).DOC	12/21/2007	IT	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
58	Pragraph IV Notices - Master Summary_(12314652_1).DOC	12/22/2007	IT	
59	12-11-07 Para IV Memo-Final.doc	1/2/2008	no Author	
60	Paragraph IV Notices - Master Summary.DOC	1/2/2008	IT	
61	RE: Board Meeting for Forest Laboratories Holdings Limited	2/8/2008	eric agovino	charles ryan
62	FW: Collaboration with Forest on Memantine	2/12/2008	david solomon	charles ryan, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
63	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/12/2008	Registered User	
64	RE: Collaboration with Forest on Memantine	2/12/2008	charles ryan	david solomon, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
65	Fw: Namenda	2/13/2008	gerald flattmann	charles ryan
66	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/14/2008	Registered User	
67	Namenda: Proposed Settlements	2/18/2008	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
68	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/20/2008	Registered User	
69	Namenda Power Point Presentation	2/21/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann, patrick jochum
70	FW: Namenda Client Presentation	2/21/2008	eric agovino	christopher kibler
71	RE: Today's Legal Core Team Meeting	2/25/2008	eric agovino	charles ryan, darcelle gleason, peter venaglia
72	Memantine MR meeting (3-7-08).ppt	3/5/2008	Registered User	
73	RE: MR meeting on Friday	3/6/2008	eric agovino	charles ryan, debra marchese, rajiv janjikhel
74	Fw: Ranbaxy's Revisions to Namenda Settlement Proposal	3/28/2008	melanie rupert	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum

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No.	Document Title	Document Date	Author	All Recipients
75	Re: Ranbaxy Settlement Status	4/1/2008	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
76	40844-25 Namenda --Fw: Forest Laboratories Inc. et al v. Cobalt Laboratories Inc. et al (C.A. No. 08-21-GMS)	4/8/2008	wayne leblanc	charles ryan, eric agovino, patrick jochum
77	Memantine update	4/9/2008	eric agovino	charles ryan
78	RE: May 12th Board Meeting; Litigation Update	5/6/2008	eric agovino	charles ryan
79	Litigation Status Report 3 3 08.doc	5/6/2008	VENAGLIA	
80	40844-25 Namenda --Fw: Forest Laboratories Inc. et al v. Cobalt Laboratories Inc. et al (C.A. No. 08-21-GMS-LPS)	5/19/2008	wayne leblanc	charles ryan, eric agovino, jennifer fehrman, patrick jochum
81	FW: Namenda Experts: Dr. Schneider	6/2/2008	eric agovino	lucy zamot
82	L. Schneider Expert Retention Letter_(12883227_1).DOC	6/2/2008	IT	
83	Namenda Experts: Dr. Schneider	6/2/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
84	RE: Namenda Experts: Dr. Schneider	6/3/2008	eric agovino	melanie rupert
85	Namenda Situational Analysis 2008.ppt	7/10/2008	no Author	
86	PRIVILEGED AND CONFIDENTIAL: translated appeal brief	7/18/2008	patrick jochum	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, stephan guertler
87	Trans. Grounds of Appeal Draft 4.DOC	7/18/2008	uro	
88	RE: August 11 Board of Directors Meeting; Litigation Update	7/25/2008	eric agovino	charles ryan, jennifer fehrman
89	Litigation Status Report 5 12 08 (2).doc	7/25/2008	VENAGLIA	
90	Fw: Forest Laboratories Inc. et al. v. Cobalt Labs., Inc. et al., Case No. 08-021 Consolidated	8/5/2008	melanie rupert	charles ryan, eric agovino, namendawg
91	Bermuda -- Board Meeting for FLH	8/15/2008	ralph kleinman	david solomon, frank perier, herschel weinstein

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No.	Document Title	Document Date	Author	All Recipients
92	Bermuda -- Board Meeting for FLH	8/15/2008	ralph kleinman	david solomon, frank perier, herschel weinstein
93	RE: Bermuda -- Board Meeting for FLH	8/17/2008	david solomon	frank perier, herschel weinstein, ralph kleinman
94	RE: Bermuda -- Board Meeting for FLH	8/17/2008	david solomon	frank perier, herschel weinstein, ralph kleinman
95	Re: Bermuda -- Board Meeting for FLH	8/17/2008	ralph kleinman	david solomon, frank perier, herschel weinstein
96	FY10 Strategy Planning Meeting Big Questions v4 (2).docx	8/26/2008	S&H	
97	Namenda Litigation - Claim Construction	9/10/2008	alexander greenberg	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, melanie rupert, patrick jochum
98	FW: Portfolio Valuation Model Review	9/30/2008	eric agovino	michael ciraolo
99	Namenda Litigation Update - Presentation Slides	10/17/2008	alexander greenberg	charles ryan, eric agovino, gerald flattmann, john desmarais, melanie rupert
100	Abridged Namenda Client Presentation - October 21, 2008_(13503992_1).PPT	10/17/2008	IT	
101	Namenda Client Presentation - October 21, 2008_(13503464_1).PPT	10/17/2008	IT	
102	RE: Patent Questions	10/27/2008	charles ryan	eric agovino
103	FY10 Strategic Options Presentation.doc	11/6/2008	no Author	
104	Fw: Forest Laboratories Inc. et al v. Cobalt Laboratories Inc. et al (C.A. No. 08-21-GMS-LPS) (cons.)	11/8/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann, patrick jochum
105	Second Supplement to PTE.DOC	11/13/2008	no Author	
106	RE: Board of Directors Meeting on December 8, 2008; Litigation Status Update	11/25/2008	eric agovino	jennifer fehrman
107	LITIGATION STATUS REPORT-AUGUST 11 2008.doc	11/25/2008	VENAGLIA	
108	Litigation status update	12/1/2008	eric agovino	charles ryan
109	LITIGATION STATUS REPORT-AUGUST 11 2008.doc	12/1/2008	VENAGLIA	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
110	FW: Litigation status update	12/2/2008	eric agovino	charles ryan
111	LITIGATION STATUS REPORT-AUGUST 11 2008.doc	12/2/2008	VENAGLIA	
112	Litigation Status Report; December 8 Board Meeting	12/3/2008	herschel weinstein	dan goldwasser, geocoh@aol.com, howard solomon, ken goodman, lawrence olanoff, lessalans@att.net, nbasgoz@partners.org, phearon@partners.org, wcandee@optonline.com
113	LITIGATION STATUS REPORT- DECEMBER 8, 2008.doc	12/3/2008	VENAGLIA	
114	Namenda - Draft Markman Presentation	12/9/2008	melanie rupert	alexander greenberg, charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
115	Patent Litigation Timeline	1/22/2009	jennifer fehrman	charles ryan, eric agovino
116	Litigation timeline.doc	1/22/2009	jfehrman	
117	RE: Litigation Timeline	1/22/2009	eric agovino	jennifer fehrman
118	Memantine settlement meeting.ppt	1/30/2009	Registered User	
119	RE: Namenda - Call from Mylan regarding Settlement	2/10/2009	charles ryan	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
120	RE: Namenda - Call from Mylan regarding Settlement	2/10/2009	melanie rupert	charles ryan
121	Namenda - Call from Mylan regarding Settlement	2/10/2009	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, patrick jochum
122	Re: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
123	AW: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	patrick jochum	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert
124	RE: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	charles ryan	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
125	Re: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, melanie rupert, patrick jochum

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
126	AW: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	patrick jochum	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert
127	RE: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	charles ryan	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
128	Re: AW: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, melanie rupert, patrick jochum
129	AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	patrick jochum	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert
130	AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	patrick jochum	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert
131	Re: AW: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, melanie rupert, patrick jochum
132	Re: AW: Namenda - Call from Mylan regarding Settlement	2/11/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
133	RE: Board of Directors Meeting; March 2, 2009	2/19/2009	eric agovino	charles ryan
134	LITIGATION STATUS REPORT.doc	2/19/2009	VENAGLIA	
135	RE: Term sheet	2/20/2009	eric agovino	charles ryan, claudia zumbro, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
136	Memantine Settlement Proposal	2/25/2009	david solomon	charles ryan, martin zuegel, patrick jochum
137	Litigation Status Report	2/26/2009	herschel weinstein	dan goldwasser, geocoh@aol.com, howard solomon, ken goodman, lawrence olanoff, lessalans@att.net, nbasgoz@partners.org, wcandee@optonline.com
138	Litigation Status Report 3.2.09.doc	2/26/2009	no Author	
139	RE: Memantine reexam	3/3/2009	eric agovino	peter ludwig
140	RE: Memantine reexam	3/3/2009	eric agovino	peter ludwig
141	RE: Memantine reexam	3/3/2009	peter ludwig	eric agovino
142	RE: Memantine reexam	3/3/2009	peter ludwig	eric agovino
143	Memantine reexam	3/3/2009	eric agovino	peter ludwig
144	RE: FW: Memantine reexam	3/3/2009	eric agovino	gregory morris, melanie rupert
145	Memantine reexam	3/3/2009	eric agovino	peter ludwig
146	FW: Memantine reexam	3/3/2009	eric agovino	gregory morris, melanie rupert

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
147	Re: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	eric agovino	charles ryan, michael sohn
148	FW: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino
149	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino
150	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino
151	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino
152	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	eric agovino	charles ryan, michael sohn
153	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino
154	Re: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	eric agovino	charles ryan, michael sohn
155	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	eric agovino	charles ryan, michael sohn
156	FW: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/7/2009	michael sohn	charles ryan, eric agovino

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
157	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/9/2009	michael sohn	charles ryan, eric agovino
158	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/9/2009	eric agovino	charles ryan, michael sohn
159	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/9/2009	eric agovino	charles ryan, michael sohn
160	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/9/2009	eric agovino	charles ryan, michael sohn
161	RE: Namenda Settlement, Conversation with Antitrust Counsel for Merz/Privileged and Confidential	3/9/2009	eric agovino	charles ryan, michael sohn
162	RE: Namenda Experts: Dr. Schneider	3/10/2009	melanie rupert	eric agovino
163	RE: LCM - FRX: PTO patent term extension for Namenda to 2015 adds 1.5 yrs of sales to our model, helps stagger patent cliff; BUY	3/10/2009	eric agovino	charles ryan, michael ciraolo
164	RE: Namenda Experts: Dr. Schneider	3/10/2009	eric agovino	melanie rupert
165	Namenda Experts: Dr. Schneider	3/10/2009	melanie rupert	eric agovino
166	RE: Namenda Experts: Dr. Schneider	3/10/2009	eric agovino	melanie rupert
167	FW: FRX - Good News For FRX - Namenda Patent Extended Until April 2015, 19 Extra Months - COWEN RESEARCH NOTE DISTRIBUTION	3/10/2009	lawrence olanoff	charles ryan, elaine hochberg, howard solomon, marco taglietti
168	FW: LCM - FRX: PTO patent term extension for Namenda to 2015 adds 1.5 yrs of sales to our model, helps stagger patent cliff; BUY	3/10/2009	lawrence olanoff	charles ryan, david solomon, dirk thye, elaine hochberg, howard solomon, kevin walsh, marco taglietti

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
169	AW: Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	patrick jochum	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert
170	Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	charles ryan	andres sawicki, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
171	Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	f. dominic cerrito	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, gerald flattmann, melanie rupert, patrick jochum
172	Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	gerald flattmann	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, melanie rupert, patrick jochum
173	AW: Re: AW: Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	patrick jochum	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert
174	Re: AW: Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	gerald flattmann	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, melanie rupert, patrick jochum
175	Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	charles ryan	f. dominic cerrito
176	Fw: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	andres sawicki	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
177	Re: AW: Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	gerald flattmann	charles ryan
178	Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	gerald flattmann	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, melanie rupert, patrick jochum
179	AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	patrick jochum	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert

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No.	Document Title	Document Date	Author	All Recipients
180	Re: AW: Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	charles ryan	gerald flattmann
181	Re: AW: Re: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	f. dominic cerrito	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, gerald flattmann, melanie rupert, patrick jochum
182	FY10 Plan Executive Summary 4 10 09, CH.docx	4/10/2009	fmoser	
183	FW: Withdrawal of Consent re '560 patent and Election of '703 patent for PTE	4/14/2009	michael ciraolo	eric agovino
184	FW: Memantine Requests for Patent Term Extension (Darby Ref: 03269/8200177-000)	4/14/2009	michael ciraolo	eric agovino
185	Ryan - RPT PTE Extension of June 15, 2007 (01141185).PDF	4/14/2009	no Author	
186	FW: Withdrawal of Consent re '560 patent and Election of '703 patent for PTE	4/14/2009	michael ciraolo	eric agovino
187	RE: Board of Directors Meeting	4/28/2009	eric agovino	charles ryan, jennifer fehrman
188	Litigation Status Report (Patent Litigation).doc	4/28/2009	no Author	
189	RE: Board of Directors Meeting	4/29/2009	charles ryan	eric agovino, herschel weinstein, melissa cooper
190	Litigation Status Report (Patent Litigation).doc	4/29/2009	jfehrman	
191	Litigation Status Report; May 4 Board Meeting	4/30/2009	herschel weinstein	dan goldwasser, geocoh@aol.com, howard solomon, ken goodman, lawrence olanoff, lessalans@att.net, nbasgoz@partners.org, wcandee@optonline.com
192	Litigation Status Report v.2 4.30.09.doc	4/30/2009	no Author	
193	Dr. Howard Fillit deposition summary	6/10/2009	eric agovino	charles ryan
194	FW: Dr. Howard Fillit deposition summary	6/11/2009	charles ryan	david solomon, eric agovino, herschel weinstein, howard solomon, lawrence olanoff

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
195	Re: Forest Labs. v. Cobalt Labs.	6/21/2009	eric agovino	gregory morris
196	Namenda Presentation	7/1/2009	alexander greenberg	eric agovino, melanie rupert
197	Namenda Client Presentation - July 6 2009_(14954039_2).PPT	7/1/2009	IT	
198	Namenda MR Conversion Strategy.ppt	9/9/2009	James Finchen	
199	Re: Namenda -- Our Comments on Jones' Draft Doody Report	11/18/2009	evangeline shih	charles ryan, eric agovino, eric stops, gerald flattmann, gregory morris, melanie rupert, nick cerrito, patrick jochum, shane cortesi
200	NYI_4229641_6_Doody Expert Report Draft.DOC	11/18/2009	no Author	
201	Re: Banerjee deposition summary	11/19/2009	charles ryan	eric agovino
202	Banerjee deposition summary	11/19/2009	eric agovino	charles ryan
203	RE: Memantine Settlement conference call	11/19/2009	eric agovino	charles ryan, peter armenio
204	RE: Namenda -- Our Comments on Jones' Draft Doody Report	11/19/2009	shane cortesi	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, gregory morris, melanie rupert, patrick jochum
205	Draft Mylan Infringement Chart For Doody_(15883873_3) (3).DOC	11/19/2009	IT	
206	RE: Memantine Settlement conference call	11/19/2009	peter armenio	charles ryan, eric agovino
207	Banerjee deposition summary	11/19/2009	eric agovino	charles ryan
208	Fw: Forest Labs et al. v. Cobalt Labs et al., 1:08-cv-21-GMS-LPS	11/23/2009	melanie rupert	eric agovino
209	John W. Olney	11/24/2009	eric agovino	allyson gage, charles ryan, debra marchese, elaine hochberg, lawrence olanoff, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
210	no Title	11/24/2009	eric agovino	allyson gage, charles ryan, debra marchese, elaine hochberg, lawrence olanoff, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
211	JW Olney CV.pdf	11/24/2009	lw8	
212	RE: John W. Olney	11/24/2009	lawrence olanoff	allyson gage, charles lindamood, charles ryan, debra marchese, elaine hochberg, eric agovino, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
213	Fw: John W. Olney	11/24/2009	william meury	debra marchese
214	John W. Olney	11/24/2009	eric agovino	allyson gage, charles ryan, debra marchese, elaine hochberg, lawrence olanoff, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
215	RE: John W. Olney	11/24/2009	lawrence olanoff	allyson gage, charles lindamood, charles ryan, debra marchese, elaine hochberg, eric agovino, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
216	Fw: John W. Olney	11/24/2009	william meury	debra marchese
217	John W. Olney	11/24/2009	eric agovino	allyson gage, charles ryan, debra marchese, elaine hochberg, lawrence olanoff, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
218	JW Olney CV.pdf	11/24/2009	lw8	
219	RE: John W. Olney	11/24/2009	lawrence olanoff	allyson gage, charles lindamood, charles ryan, debra marchese, elaine hochberg, eric agovino, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
220	John W. Olney	11/24/2009	eric agovino	allyson gage, charles ryan, debra marchese, elaine hochberg, lawrence olanoff, marco taglietti, nikhil nayak, pradeep banerjee, stephen graham, william meury
221	JW Olney CV.pdf	11/24/2009	lw8	
222	Re: John W. Olney	11/25/2009	debra marchese	william meury
223	Re: John W. Olney	11/25/2009	debra marchese	william meury
224	RE: Board of Directors Meeting	11/29/2009	eric agovino	charles ryan, jennifer fehrman

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
225	Litigation Status Report.doc	11/29/2009	no Author	
226	Re: Namenda -- Commercial Success	11/30/2009	gregory morris	eric agovino
227	FW: Orchid Term Sheet	11/30/2009	david solomon	david solomon
228	FW: Board of Directors Meeting	11/30/2009	eric agovino	emily wolkoff
229	Litigation Status Report.doc	11/30/2009	no Author	
230	Re: Namenda -- Commercial Success	11/30/2009	gregory morris	eric agovino
231	Re: Namenda -- Commercial Success	11/30/2009	eric agovino	gregory morris
232	FW: Revised memantine settlement agreement	11/30/2009	eric agovino	emily wolkoff
233	Re: Namenda -- Commercial Success	11/30/2009	eric agovino	gregory morris
234	Re: Namenda -- Commercial Success	12/1/2009	eric agovino	gregory morris
235	RE: Namenda -- Commercial Success	12/1/2009	eric agovino	gregory morris
236	Re: Namenda -- Commercial Success	12/1/2009	eric agovino	gregory morris
237	RE: Namenda -- Commercial Success	12/1/2009	eric agovino	gregory morris
238	Re: Namenda -- Commercial Success	12/1/2009	gregory morris	eric agovino
239	Namenda -- Commercial Success	12/1/2009	gregory morris	eric agovino
240	IMPORTANT: Request from NICE to Lundbeck for Memantine studies (response needed to Merz Tomorrow)	12/2/2009	puneet sachdev	carrie furin, charles ryan, eric agovino, james demartino, james perhach, marco taglietti, michael ciraolo, michael niebo, robert jackson, serge stankovic, stephen graham, theresa fico
241	RE: IMPORTANT: Request from NICE to Lundbeck for Memantine studies (response needed to Merz Tomorrow)	12/2/2009	serge stankovic	carrie furin, charles ryan, eric agovino, james demartino, james perhach, marco taglietti, michael ciraolo, michael niebo, puneet sachdev, robert jackson, stephen graham, theresa fico
242	Lipinskilet.DOC	12/2/2009	IT	
243	RE: IMPORTANT: Request from NICE to Lundbeck for Memantine studies (response needed to Merz Tomorrow)	12/2/2009	puneet sachdev	carrie furin, charles ryan, eric agovino, james demartino, james perhach, marco taglietti, michael ciraolo, michael niebo, robert jackson, serge stankovic, stephen graham, theresa fico
244	Re: Telecom from Forest Attorney	12/2/2009	melanie rupert	charles ryan, eric agovino, evan diamond, gerald flattmann

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
245	Litigation Status Report December 7, 2009 v.2.doc	12/3/2009	no Author	
246	RE: Expert Letters	12/3/2009	eric agovino	jennifer fehrman, patrick jochum
247	RE: IMPORTANT: Request from NICE to Lundbeck for Memantine studies (response needed to Merz Tomorrow)	12/3/2009	theresa fico	carrie furin, charles ryan, eric agovino, james demartino, james perhach, marco taglietti, michael ciraolo, michael niebo, puneet sachdev, robert jackson, serge stankovic, stephen graham
248	RE: Expert Letters	12/3/2009	eric agovino	jennifer fehrman, patrick jochum
249	Re: Namenda -- Commercial Success	12/7/2009	eric agovino	gregory morris
250	FW: Signed Settlement Agreement	12/7/2009	eric agovino	jonathan gleklen, michael sohn
251	Fw: Signed Settlement Agreement	12/8/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, melanie rupert, peter armenio
252	Fw: Namenda case--Call at 5 pm eastern	12/9/2009	evan diamond	charles ryan, eric agovino, melanie rupert
253	Draft Farlow Report (new)_(16024078_2).DOC	12/9/2009	IT	
254	RE: Namenda Dial-in Number for Teleconference	12/9/2009	roberto malinow	andres sawicki, charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert
255	Contemporaneous views on excitotoxicity as a mechanism underlying AD.docx	12/9/2009	rm	
256	current views on excitotoxicity as a mechanism underlying AD.docx	12/9/2009	rm	
257	DRAFT Malinow Report_(15980494_4).DOC	12/9/2009	IT	
258	FW: CONFIDENTIAL SETTLEMENT DRAFT	12/10/2009	charles ryan	eric agovino
259	Namenda settlement chart.doc	12/10/2009	Forest Laboratories, Inc.	
260	FW: Lupin Agreement	12/10/2009	charles ryan	eric agovino
261	FW: Memantine Settlement Agreement	12/11/2009	eric agovino	anne toker, benjamin lasky

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
262	FW: Lupin Settlement Agreement	12/11/2009	eric agovino	emily wolkoff
263	AW: Lupin Settlement Agreement	12/11/2009	patrick jochum	charles ryan, eric agovino, peter armenio
264	RE: Namenda -- Commercial Success	12/14/2009	kevin haney	julie snyder
265	Fw: Settlement Agreement	12/14/2009	eric agovino	melanie rupert
266	2009-12-14 NAMENDA XR meeting.ppt	12/14/2009	Registered User	
267	RE: Namenda -- Commercial Success	12/14/2009	julie snyder	kevin haney
268	RE: Namenda -- Commercial Success	12/14/2009	kevin haney	eric agovino, gregory morris, julie snyder
269	Namenda -- Commercial Success	12/14/2009	gregory morris	eric agovino
270	RE: Namenda -- Commercial Success	12/14/2009	eric agovino	gregory morris
271	2009-12-14 NAMENDA XR meeting AM.ppt	12/14/2009	Registered User	
272	RE: Namenda -- Commercial Success	12/14/2009	julie snyder	kevin haney
273	RE: Namenda -- Commercial Success	12/14/2009	kevin haney	eric agovino, gregory morris, julie snyder
274	Re: Fw: Memantine Settlement Agreement	12/14/2009	melanie rupert	eric agovino
275	Draft Malinow Report	12/14/2009	andres sawicki	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
276	DRAFT Malinow Report_(15980494_6).DOC	12/14/2009	IT	
277	RE: Namenda -- Commercial Success	12/14/2009	julie snyder	kevin haney
278	RE: Namenda -- Commercial Success	12/14/2009	gregory morris	eric agovino, julie snyder, kevin haney
279	Namenda -- Commercial Success	12/14/2009	gregory morris	eric agovino, julie snyder, kevin haney
280	Namenda XR launch scenarios.doc	12/14/2009	no Author	
281	Re: Memantine Settlement Agreement	12/15/2009	eric agovino	charles ryan
282	Namenda--Current draft of Farlow report	12/15/2009	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, gregory morris, melanie rupert
283	Draft Farlow Report_(16056243_2).DOC	12/15/2009	IT	
284	Namenda -- Draft Murry Report for Today's Discussion	12/15/2009	gregory morris	eric agovino, gerald flattmann, nick cerrito

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
285	DRAFT FOR 12_15 Meeting with J. Murry Draft Commercial Success Report_(16062178_1).DOC	12/15/2009	Ellen Lin	
286	Re: Memantine Settlement Agreement	12/15/2009	eric agovino	charles ryan
287	Namenda -- Draft of Doody Rebuttal Report	12/15/2009	gregory morris	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, shane cortesi
288	DRAFT Doody Report For Commercial Success_(16045060_3).DOC	12/15/2009	IT	
289	FW: Memantine Settlement Agreement	12/16/2009	eric agovino	charles ryan
290	FW: Memantine Settlement Agreement	12/16/2009	eric agovino	charles ryan
291	Re: Memantine Settlement Agreement	12/16/2009	frank murdolo	eric agovino
292	FW: Memantine Settlement Agreement	12/16/2009	charles ryan	david solomon, herschel weinstein
293	SettlementmemotoHS 12-16- 09Update.doc	12/16/2009	Forest Laboratories, Inc.	
294	Namenda -- Draft of Murry Commercial Success Report	12/16/2009	gregory morris	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, shane cortesi
295	12-15 J. Murry Draft Commercial Success Report_(16067854_1).DOC	12/16/2009	Ellen Lin	
296	FW: Memantine Settlement Agreement	12/16/2009	eric agovino	frank murdolo
297	Lifecycle Update Nov30.ppt	12/16/2009	psachdev	
298	Re: Memantine Settlement Agreement	12/17/2009	charles ryan	david solomon, eric agovino, herschel weinstein
299	RE: comments	12/17/2009	melanie rupert	eric agovino
300	DRAFT Malinow Report_(15980494_7).DOC	12/17/2009	IT	
301	DRAFT Lipinski Report_(16025226_6).DOC	12/17/2009	IT	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
302	Draft Farlow Report_(16056243_3).DOC	12/17/2009	IT	
303	Re: Memantine Settlement Agreement	12/17/2009	david solomon, herschel weinstein	charles ryan, eric agovino
304	FW: comments	12/17/2009	eric agovino	emily wolkoff
305	DRAFT Lipinski Report_(16025226_6).DOC	12/17/2009	IT	
306	Draft Farlow Report_(16056243_3).DOC	12/17/2009	IT	
307	DRAFT Malinow Report_(15980494_7).DOC	12/17/2009	IT	
308	RE: Memantine Settlement Agreement	12/17/2009	charles ryan, herschel weinstein	david solomon
309	RE: Timeline slide	12/17/2009	eric agovino	nikhil nayak
310	Namenda XR launch scenarios.doc	12/17/2009	no Author	
311	Fw: DONE - Draft Murry Report BLACKLINE	12/18/2009	gregory morris	eric agovino
312	2009-12-17 J. Murry Draft Commercial Success Report (blackline version 1 vs 2)_(16083257_1).DOCX	12/18/2009	APampine	
313	FW: Defendants' Responsive Expert Report - John Olney, M.D.	12/21/2009	eric agovino	emily wolkoff
314	RE: memo	12/21/2009	eric agovino	jennifer fehrman
315	TaskSummaries2009-2 (2).doc	12/21/2009	Forest Laboratories, Inc.	
316	Plaintiffs' Responsive Expert Reports	12/21/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
317	Defendants' Responsive Expert Report - John Olney, M.D.	12/21/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
318	Namenda--Memo re Responsive Expert Reports	12/22/2009	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
319	Memo re_ Responsive Expert Reports_(16094366_2).DOC	12/22/2009	installer	
320	Namenda--Status Presentation	1/4/2010	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, john desmarais, melanie rupert
321	Draft Namenda Status Presentation.pptx	1/4/2010	IT	
322	Memantine	1/4/2010	robert carnevale	herschel weinstein, rachel mears
323	RE: Patent Portfolio Management and IP Diligence 2009 Review	1/4/2010	eric agovino	charles ryan
324	Final Namenda Status Presentation.pptx	1/5/2010	IT	
325	RE: Namenda--Final Presentation	1/5/2010	eric agovino	charles ryan, evan diamond, f. dominic cerrito, gerald flattmann, john desmarais, melanie rupert
326	Final Namenda Status Presentation.pptx	1/5/2010	IT	
327	Namenda--Final Presentation	1/5/2010	evan diamond	eric agovino, f. dominic cerrito, gerald flattmann, john desmarais, melanie rupert
328	Final Namenda Status Presentation.pptx	1/5/2010	IT	
329	Final Namenda Status Presentation.pptx	1/5/2010	IT	
330	NAMENDA XR meeting.ppt	1/6/2010	Registered User	
331	DRAFT Namenda XR presentation	1/6/2010	eric agovino	charles ryan
332	XR Timeline Options.ppt	1/7/2010	Christine Huelster	
333	REVISED Namenda XR slides	1/7/2010	eric agovino	charles ryan
334	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
335	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
336	RE: XR Timeline Meeting tomorrow	1/7/2010	eric agovino	charles ryan, nikhil nayak, william meury
337	XR Timeline Meeting tomorrow	1/7/2010	nikhil nayak	charles ryan, eric agovino, william meury
338	XR Timeline Options.ppt	1/7/2010	Christine Huelster	
339	RE: Payments required under memantine settlement agreements	1/7/2010	eric agovino	sylvia striker

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
340	FW: Payments required under memantine settlement agreements	1/8/2010	sylvia striker	david feit, michael piacquadro, rita weinberger
341	Re: Namenda Expert Deposition Scheduling	1/8/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
342	Re: Namenda Expert Deposition Scheduling	1/8/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
343	Re: Namenda Expert Deposition Scheduling	1/8/2010	gerald flattmann	charles ryan, eric agovino, melanie rupert
344	RE: Payments required under memantine settlement agreements	1/8/2010	rita weinberger	sylvia striker
345	Re: Namenda Expert Deposition Scheduling	1/8/2010	eric agovino	melanie rupert
346	FW: Payments required under memantine settlement agreements	1/8/2010	sylvia striker	david feit, michael piacquadro, rita weinberger
347	Re: Namenda Expert Deposition Scheduling	1/8/2010	eric agovino	melanie rupert
348	2009-01-08 NAMENDA XR meeting New.ppt	1/8/2010	Registered User	
349	RE: Memantine settlement agreement	1/12/2010	ken viola	nandranie singh
350	RE: Stipulation of Dismissal - Lupin	1/12/2010	eric agovino	melanie rupert
351	RE: Stipulation of Dismissal - Lupin	1/12/2010	eric agovino	melanie rupert
352	RE: Memantine settlement agreement	1/12/2010	nandranie singh	ken viola
353	Eric's Namenda meeting notes 1-14.doc	1/14/2010	Forest Laboratories, Inc.	
354	Re: Potential Settlement of Namenda Patent Litigation with Mylan	1/15/2010	charles ryan	herschel weinstein
355	Boghigian Outline	1/15/2010	melanie rupert	eric agovino, f. dominic cerrito, gerald flattmann, shane cortesi
356	Boghigian Dep Outline_(16140231_7).DOC	1/15/2010	IT	
357	Re: Potential Settlement of Namenda Patent Litigation with Mylan	1/15/2010	charles ryan	herschel weinstein

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
358	Potential Settlement of Namenda Patent Litigation with Mylan	1/15/2010	herschel weinstein	charles ryan, michael sohn, rachel mears
359	Mylan Deal Concept 1-15-10 (2).doc	1/15/2010	no Author	
360	FW: Mylan Deal Concept - Escitalopram Authorized Generic/Memantine Litigation	1/15/2010	robert carnevale	james finchen
361	Mylan Deal Concept 1-15-10.doc	1/15/2010	David Solomon	
362	FW: Mylan Deal Concept - Escitalopram Authorized Generic/Memantine Litigation	1/15/2010	robert carnevale	james finchen
363	Mylan Deal Concept 1-15-10.doc	1/15/2010	David Solomon	
364	Fw: Potential Settlement of Namenda Patent Litigation with Mylan	1/15/2010	charles ryan	eric agovino
365	Mylan Deal Concept 1-15-10 (2).doc	1/15/2010	David Solomon	
366	Mylan Deal Concept - Escitalopram Authorized Generic/Memantine Litigation	1/15/2010	rachel mears	david solomon, herschel weinstein, robert carnevale
367	Mylan Deal Concept 1-15-10.doc	1/15/2010	David Solomon	
368	Orchid New Language 1_15.doc	1/15/2010	no Author	
369	Re: Attorney-Client Privileged -- Potential Settlement of Namenda Patent Litigation with Mylan	1/16/2010	peter armenio	charles ryan
370	Orchid New Language 1_15.doc	1/16/2010	dsolomon	
371	Fw: Prescribing information	1/18/2010	eric agovino	evan diamond, gerald flattmann
372	RE: Potential Settlement of Namenda Patent Litigation with Mylan	1/18/2010	michael sohn	charles ryan, herschel weinstein, rachel mears
373	FW: Mylan Mtg Next Week	1/19/2010	james finchen	rachel mears, robert carnevale
374	RE: Mylan Mtg Next Week	1/19/2010	ditra walsh	david solomon, rachel mears, robert carnevale
375	Fw: Prescribing information	1/19/2010	eric agovino	evan diamond, gerald flattmann
376	RE: Mylan Mtg Next Week	1/19/2010	james finchen	rachel mears, robert carnevale
377	FW: Mylan Mtg Next Week	1/19/2010	david solomon	ditra walsh, rachel mears, robert carnevale

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
378	Re: Potential Settlement of Namenda Patent Litigation with Mylan	1/19/2010	charles ryan	herschel weinstein, michael sohn
379	Re: Mylan Mtg Next Week	1/19/2010	david solomon	ditra walsh, rachel mears, robert carnevale
380	RE: Prescribing information	1/19/2010	kelin lopez	eric agovino, lauren dowling
381	FW: Mylan Mtg Next Week	1/19/2010	robert carnevale	laurie claeys
382	Mylan Term Sheet	1/20/2010	rachel mears	david solomon, robert carnevale
383	Mylan Deal Concept 1-20-10.doc	1/20/2010	David Solomon	
384	Mylan Term Sheet	1/20/2010	rachel mears	david solomon, robert carnevale
385	Mylan Deal Concept 1-20-10.doc	1/20/2010	David Solomon	
386	Mylan Term Sheet	1/20/2010	rachel mears	david solomon, robert carnevale
387	Mylan Deal Concept 1-20-10.doc	1/20/2010	David Solomon	
388	Buccafusco deposition summary	1/20/2010	eric agovino	charles ryan
389	RE: Mylan Term Sheet	1/20/2010	robert carnevale	david solomon, rachel mears
390	Mylan Meeting tomorrow	1/20/2010	rachel mears	charles ryan, david solomon, eric agovino, robert carnevale
391	FW: Memantine expert depositions	1/20/2010	charles ryan	eric agovino
392	Mylan Term Sheet	1/20/2010	rachel mears	david solomon, robert carnevale
393	Mylan Deal Concept 1-20-10.doc	1/20/2010	David Solomon	
394	Fw: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
395	Re: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	f. dominic cerrito	andres sawicki, charles ryan, eric agovino, eric stops, gerald flattmann, melanie rupert, patrick jochum
396	Memantine expert depositions	1/20/2010	charles ryan	david solomon, elaine hochberg, frank perier, herschel weinstein, howard solomon, lawrence olanoff
397	Boghigian deposition summary	1/20/2010	eric agovino	charles ryan
398	RE: Mylan Mtg Next Week	1/20/2010	james finchen	rachel mears, robert carnevale
399	Fishman deposition summary	1/20/2010	eric agovino	charles ryan

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
400	Re: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	charles ryan	andres sawicki, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
401	Re: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	eric agovino	andres sawicki, charles ryan, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
402	Farlow deposition summary	1/20/2010	eric agovino	charles ryan
403	Memantine expert depositions	1/20/2010	charles ryan	david solomon, elaine hochberg, frank perier, herschel weinstein, howard solomon, lawrence olanoff
404	Boghigian deposition summary	1/20/2010	eric agovino	charles ryan
405	Re: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
406	RE: Mylan Mtg Next Week	1/20/2010	robert carnevale	james finchen, rachel mears
407	Re: Mylan Meeting tomorrow	1/20/2010	eric agovino	eric agovino
408	Mylan Meeting tomorrow	1/20/2010	rachel mears	charles ryan, david solomon, eric agovino, robert carnevale
409	AW: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	patrick jochum	andres sawicki, charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert
410	Re: Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/20/2010	eric agovino	andres sawicki, charles ryan, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
411	Buccafusco deposition summary	1/20/2010	eric agovino	charles ryan
412	Farlow deposition summary	1/20/2010	eric agovino	charles ryan
413	Re: Namenda tentative approval by Lupin	1/21/2010	charles ryan	frank murdolo, frank perier, herschel weinstein, lawrence olanoff
414	Fw: Quick call at 2:30pm?	1/21/2010	eric agovino	shane cortesi
415	RE: Mylan Meeting tomorrow	1/21/2010	robert carnevale	eric agovino
416	Re: Quick call at 2:30pm?	1/21/2010	eric agovino	kevin haney

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
417	RE: Mylan Meeting tomorrow	1/21/2010	david solomon	charles ryan, eric agovino, rachel mears, robert carnevale
418	Fw: Mylan Meeting tomorrow	1/21/2010	rachel mears	david solomon
419	FW: Mylan Term Sheet	1/21/2010	david solomon	rachel mears, robert carnevale
420	Mylan Deal Concept 1-20-10.doc	1/21/2010	David Solomon	
421	FW: Mylan Term Sheet	1/21/2010	david solomon	rachel mears, robert carnevale
422	Mylan Deal Concept 1-20-10.doc	1/21/2010	David Solomon	
423	Re: Mylan Meeting tomorrow	1/21/2010	eric agovino	charles ryan, david solomon, rachel mears, robert carnevale
424	RE: Quick call at 2:30pm?	1/21/2010	kevin haney	eric agovino
425	RE: Mylan Meeting tomorrow	1/21/2010	eric agovino	charles ryan, david solomon, rachel mears, robert carnevale
426	FW: Mylan Term Sheet	1/25/2010	robert carnevale	andrew feinstein, james finchen, josh way, laurie claeys, severina kraner
427	Paul Fishman Namenda documents	1/25/2010	evan diamond	eric agovino, gerald flattmann, melanie rupert
428	Memo re_ Defendants' Expert Reports_(15961275_1).DOC	1/25/2010	installer	
429	RE: Namenda--Memo re Mylan's PTE Defense	1/26/2010	eric agovino	charles ryan
430	Weiffenbach report.pdf	1/26/2010	no Author	
431	Namenda--Memo re Mylan's PTE Defense	1/26/2010	evan diamond	charles ryan, eric agovino, gerald flattmann, melanie rupert
432	Memo re Mylan's PTE Defenses_(16211751_1).DOC	1/26/2010	installer	
433	RE: Namenda--Memo re Mylan's PTE Defense	1/26/2010	eric agovino	charles ryan
434	Namenda--Memo re Mylan's PTE Defense	1/26/2010	evan diamond	charles ryan, eric agovino, gerald flattmann, melanie rupert
435	Memo re Mylan's PTE Defenses_(16211751_1).DOC	1/26/2010	no Author	
436	Fw: ANDA Litigation Update	1/27/2010	david solomon	ditra walsh
437	ANDALitigationReport.pdf	1/27/2010	no Author	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
438	Jan 27 2010.ppt	1/27/2010	no Author	
439	ANDA Litigation Update	1/27/2010	charles ryan	david solomon, elaine hochberg, eric agovino, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, michael ciraolo
440	RE: Namenda Draft PTO Body and Uncontested Facts	1/28/2010	andres sawicki	charles ryan, eric agovino, gerald flattmann, melanie rupert
441	RE: Namenda Draft PTO Body and Uncontested Facts	1/28/2010	eric agovino	andres sawicki, charles ryan, gerald flattmann, melanie rupert
442	RE: Namenda Draft PTO Body and Uncontested Facts	1/28/2010	eric agovino	andres sawicki, charles ryan, gerald flattmann, melanie rupert
443	RE: december 2009 10q disclosure committee draft.doc	1/29/2010	marco taglietti	elaine hochberg, frank perier, herschel weinstein, lawrence olanoff, rita weinberger
444	Re: Forest v. Lupin Distribution - 01/29/2010 Westin Email to Rupert re Scheduling of Lipinski and Greenberg Depositions	1/29/2010	eric agovino	melanie rupert
445	Fw: Namenda--Due Diligence Memo	1/29/2010	eric agovino	david mott, michael ciraolo
446	Namenda IND Due Diligence Timeline.pdf	1/29/2010	ediamond	
447	Memo re Mylan's PTE Defenses (Mylan's view of law).doc	1/29/2010	installer	
448	Namenda--Due Diligence Memo	1/29/2010	evan diamond	charles ryan, eric agovino, gerald flattmann, melanie rupert
449	Namenda IND Due Diligence Timeline.pdf	1/29/2010	ediamond	
450	Memo re Mylan's PTE Defenses (Mylan's view of law).doc	1/29/2010	installer	
451	Fw: Forest v. Lupin Distribution - 01/29/2010 Westin Email to Rupert re Scheduling of Lipinski and Greenberg Depositions	1/29/2010	melanie rupert	eric agovino
452	FW: ANDA Litigation Update	1/31/2010	elaine hochberg	marie markowski

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
453	Fw: Forest v Orchid (D.N.J.)	2/1/2010	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
454	FW: ANDA Litigation Update	2/1/2010	david solomon	rachel mears
455	Memantine expert deposition summaries	2/1/2010	eric agovino	charles ryan
456	Fw: Forest v Orchid (D.N.J.)	2/1/2010	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
457	Memantine expert deposition summaries	2/1/2010	eric agovino	charles ryan
458	FW: Paul Fishman Namenda documents	2/2/2010	eric agovino	julie snyder
459	Memantine expert depositions	2/2/2010	eric agovino	charles ryan, david solomon, herschel weinstein, howard solomon, lawrence olanoff
460	Re: Memantine expert deposition summaries	2/2/2010	charles ryan	eric agovino
461	Memantine expert depositions	2/2/2010	eric agovino	charles ryan, david solomon, herschel weinstein, howard solomon, lawrence olanoff
462	Memantine expert depositions	2/2/2010	eric agovino	charles ryan, david solomon, herschel weinstein, howard solomon, lawrence olanoff
463	FW: Memantine expert depositions	2/2/2010	herschel weinstein	joanne mentz
464	RE: Litigation Status Report	2/2/2010	eric agovino	jennifer fehrman
465	LITIGATION STATUS REPORT01-29-10 (EMA edits).doc	2/2/2010	VENAGLIA	
466	Namenda FY11 Strat Ops.ppt	2/3/2010	Christine Huelster	
467	RE: Namenda--Pretrial Order Docs for Feb. 3 exchange	2/3/2010	eric agovino	charles ryan, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
468	RE: Namenda--Pretrial Order Docs for Feb. 3 exchange	2/3/2010	eric agovino	charles ryan, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
469	Re: Namenda--Pretrial Order Docs for Feb. 3 exchange	2/3/2010	evan diamond	eric agovino
470	AW: Namenda--Pretrial Order Docs for Feb. 3 exchange	2/3/2010	patrick jochum	charles ryan, eric agovino, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
471	Re: Namenda--Due Diligence Memo	2/4/2010	gerald flattmann	eric agovino, evan diamond, melanie rupert
472	december 2009 10q BOD and certs draft.pdf	2/4/2010	rweinber	
473	Updated presentation for Mylan meeting	2/8/2010	eric agovino	charles ryan, john desmarais
474	Forest- Mylan meeting.ppt	2/8/2010	Registered User	
475	Updated presentation for Mylan meeting	2/8/2010	eric agovino	charles ryan, john desmarais
476	Forest-Mylan meeting.ppt	2/8/2010	Registered User	
477	Forest-Mylan pre-meeting.ppt	2/8/2010	Registered User	
478	RE: Mylan Mtg	2/8/2010	eric agovino	charles ryan
479	Forest- Mylan meeting.ppt	2/8/2010	Registered User	
480	RE: Slides for Mylan meeting	2/9/2010	eric agovino	charles ryan, gerald flattmann, john desmarais, melanie rupert
481	Forest-Mylan meeting.ppt	2/9/2010	Registered User	
482	RE: Namenda--Statement of Uncontested Facts	2/9/2010	evan diamond	eric agovino, gerald flattmann, melanie rupert
483	Forest-Mylan meeting.ppt	2/9/2010	Registered User	
484	Slides for Mylan meeting	2/9/2010	eric agovino	charles ryan, gerald flattmann, john desmarais, melanie rupert
485	Forest-Mylan meeting.ppt	2/9/2010	Registered User	
486	RE: Namenda--Statement of Uncontested Facts	2/9/2010	charles ryan	eric agovino, eric stops, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
487	RE: Namenda--Statement of Uncontested Facts	2/9/2010	evan diamond	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
488	FW: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/10/2010	eric agovino	emily wolkoff
489	Namenda FY11 Strat Ops v 5.ppt	2/10/2010	Christine Huelster	
490	FW: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/10/2010	eric agovino	emily wolkoff

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No.	Document Title	Document Date	Author	All Recipients
491	Fw: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/10/2010	evan diamond	eric agovino
492	Namenda FY11 Strat Ops v 4.ppt	2/10/2010	Christine Huelster	
493	Forest-Mylan meeting.ppt	2/10/2010	Registered User	
494	Fw: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/10/2010	evan diamond	eric agovino
495	Namenda FY11 Strat Ops v.7.ppt	2/11/2010	Christine Huelster	
496	RE: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/11/2010	eric agovino	charles ryan, evan diamond, gerald flattmann, melanie rupert
497	Namenda FY11 Strat Ops v.7.ppt	2/11/2010	Christine Huelster	
498	RE: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/11/2010	eric agovino	charles ryan, evan diamond, gerald flattmann, melanie rupert
499	Namenda FY11 Strat Ops v.8.ppt	2/12/2010	Christine Huelster	
500	2009-11-06 Draft Mylan Settlement and License Agreement (CLEAN 2).doc	2/12/2010	Forest Laboratories, Inc.	
501	2009-11-06 Draft Mylan Settlement and License Agreement (TRACK CHANGES 2).doc	2/12/2010	Forest Laboratories, Inc.	
502	Namenda FY11 Strat Ops v.9.ppt	2/15/2010	Christine Huelster	
503	FW: Namenda: Commercial Success Data	2/16/2010	eric agovino	melanie rupert, shane cortesi
504	Re: Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/16/2010	charles ryan	eric agovino
505	Namenda FY11 Strat Ops v 9.ppt	2/16/2010	Christine Huelster	
506	Namenda FY11 Strat Ops v.11.ppt	2/16/2010	Christine Huelster	
507	Namenda FY11 Strat Ops v.10.ppt	2/16/2010	Christine Huelster	
508	Fw: Forest/Mylan	2/16/2010	gerald flattmann	charles ryan, david solomon, eric agovino
509	RE: Namenda: Commercial Success Data	2/16/2010	kevin haney	eric agovino
510	Namenda FY11 Strat Ops v 9.ppt	2/16/2010	Christine Huelster	
511	FW: Namenda: Commercial Success Data	2/16/2010	eric agovino	kevin haney

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
512	Fw: Namenda: Commercial Success Data	2/16/2010	shane cortesi	eric agovino, melanie rupert
513	Final Namenda FY11 Strat Ops 02.16.10.ppt	2/17/2010	Christine Huelster	
514	Mylan Standstill Agreement	2/17/2010	charles ryan, eric agovino	gerald j flattmann jr <gflattmann@kirkland.com>, melanie rupert
515	FW: Forest/Mylan	2/17/2010	david solomon	rachel mears
516	RE: Forest/Mylan	2/17/2010	kira schwartz	herschel weinstein
517	RE: Forest/Mylan	2/17/2010	kira schwartz	herschel weinstein
518	Namenda FY11 Strat Ops v.11.ppt	2/17/2010	Christine Huelster	
519	Final Namenda FY11 Strat Ops 02 16 10.ppt	2/17/2010	Christine Huelster	
520	Final Namenda FY11 Strat Ops 02.16.10.ppt	2/19/2010	Christine Huelster	
521	Memantine expert deposition summary	2/19/2010	eric agovino	charles ryan
522	Fw: Draft Complaint	2/19/2010	charles ryan	david solomon, herschel weinstein
523	Draft_Complaint.DOC	2/19/2010	no Author	
524	Memantine expert deposition summary	2/19/2010	eric agovino	charles ryan
525	T4 Presentation v7.ppt	2/19/2010	Christine Huelster	
526	RE: Draft Complaint	2/19/2010	eric agovino	michael sohn
527	FW: Draft Complaint	2/19/2010	eric agovino	charles ryan, michael sohn
528	RE: Draft Complaint	2/19/2010	eric agovino	michael sohn
529	Final Namenda FY11 Strat Ops, Edited.ppt	2/19/2010	Christine Huelster	
530	FW: Draft Complaint	2/19/2010	eric agovino	charles ryan, michael sohn
531	RE: Draft Complaint	2/19/2010	michael sohn	eric agovino
532	Re: Draft Complaint	2/22/2010	f. dominic cerrito	eric agovino
533	Draft Complaint	2/22/2010	eric agovino	charles ryan, f. dominic cerrito, patrick jochum
534	RE: Draft Complaint	2/22/2010	eric agovino	f. dominic cerrito
535	RE: Draft Complaint	2/22/2010	eric agovino	f. dominic cerrito

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No.	Document Title	Document Date	Author	All Recipients
536	FW: Namenda--Findings of Fact/Conclusions of Law	2/22/2010	eric agovino	emily wolkoff
537	RE: Namenda--Findings of Fact/Conclusions of Law	2/22/2010	eric agovino	charles ryan, eric stops, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
538	RE: Namenda--Findings of Fact/Conclusions of Law	2/22/2010	eric agovino	charles ryan, eric stops, evan diamond, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
539	Re: Draft Complaint	2/22/2010	f. dominic cerrito	eric agovino
540	Draft_Complaint.DOC	2/22/2010	no Author	
541	RE: Updated Trial Responsibilities	2/23/2010	eric agovino	melanie rupert
542	Updated Trial Responsibilities	2/23/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
543	RE: Namenda--Findings of Fact/Conclusions of Law	2/23/2010	evan diamond	eric agovino, melanie rupert
544	RE: Namenda--Findings of Fact/Conclusions of Law	2/23/2010	eric agovino	evan diamond, melanie rupert
545	Namenda: Objection to Mylan Expert Lists	2/23/2010	shane cortesi	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
546	General Objections to Mylan Expert Witness List_(PALIB1_3889616_2).DOC_(16303587_2).DOC	2/23/2010	Anna Brandl	
547	RE: Updated Trial Responsibilities	2/23/2010	eric agovino	melanie rupert
548	RE: Namenda--Findings of Fact/Conclusions of Law	2/23/2010	eric agovino	evan diamond, melanie rupert
549	RE: Namenda: Objection to Mylan Expert Lists	2/23/2010	eric agovino	shane cortesi
550	RE: Namenda: Objection to Mylan Expert Lists	2/23/2010	eric agovino	shane cortesi

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No.	Document Title	Document Date	Author	All Recipients
551	Namenda: Objection to Mylan Expert Lists	2/23/2010	shane cortesi	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
552	RE: Board of Directors Meeting	2/24/2010	eric agovino	charles ryan
553	Litigation Status Report March 8, 2010 (DRAFT).doc	2/24/2010	no Author	
554	Fw: Forest Labs. v. Lupin Pharms. 08cv021 GMS-LPS	2/24/2010	melanie rupert	andres sawicki, charles ryan, eric agovino, eric stops, evan diamond, f. dominic cerrito, gerald flattmann, max morgan, shane cortesi
555	Namenda--Memorandum re Antitrust Claims in Mylan's Draft Complaint	2/25/2010	ryan coletti	charles ryan, eric agovino, gerald flattmann, melanie rupert
556	2010.02.25 Memo from R. Coletti to C. Ryan.doc_(16325584_4).DOC	2/25/2010	rcoletti	
557	Namenda--Memorandum re Antitrust Claims in Mylan's Draft Complaint	2/25/2010	ryan coletti	charles ryan, eric agovino, gerald flattmann, melanie rupert
558	Re: Namenda--Findings of Fact and Conclusions of Law	3/1/2010	evan diamond	charles ryan
559	no Title	3/1/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
560	Memantine Litigation Update	3/1/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
561	Memantine Litigation Update	3/1/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
562	Final Namenda FY11 Strat Ops 02 16 10.ppt	3/2/2010	Christine Huelster	
563	Final Namenda FY11 Strat Ops 02 16 10.ppt	3/2/2010	Christine Huelster	
564	HS Namenda FY11 Strat Ops 03.15.10 v.1.ppt	3/3/2010	Christine Huelster	

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
565	Opposition to Mylan's Motion re Malinow	3/4/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, melanie rupert, patrick jochum
566	RE: Settlement Agreement	3/4/2010	eric agovino	charles ryan
567	Litigation Status Report for Board Meeting 3.8.10 v.2 3.3.10.doc	3/4/2010	FBROWN	
568	No Subject-538.EML	3/4/2010	eric agovino	evan diamond, melanie rupert
569	PTE	3/4/2010	adda gogoris	charles ryan
570	RE: NAMENDAÃ,Â® Patent Term Extension Request	3/4/2010	g. patrick sage	adda gogoris, charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum, stephan guertler
571	Chronology of Namenda Regulatory Review (Ex. J).PDF	3/4/2010	no Author	
572	RE: AW: NAMENDAÃ,Â® Patent Term Extension Request	3/4/2010	adda gogoris	charles ryan, dianna goldenson, f. dominic cerrito, g. patrick sage, gerald flattmann, patrick jochum, stephan guertler
573	NAMENDAÃ,Â® Patent Term Extension Request	3/4/2010	g. patrick sage	adda gogoris, charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum, stephan guertler
574	ADVISE PARTNERS OF USPTO DETERMINATION.pdf	3/4/2010	G. Patrick Sage	
575	No Subject-14.EML	3/4/2010	g. patrick sage	adda gogoris, charles ryan, dianna goldenson, f. dominic cerrito, gerald flattmann, patrick jochum, stephan guertler
576	FW: Namenda--Draft PTE/Antitrust presentation slides	3/5/2010	eric agovino	charles ryan
577	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_4).PPT	3/5/2010	IT	
578	Re: Forest/Privileged and Confidential	3/5/2010	eric agovino	melanie rupert
579	Namenda--Draft PTE/Antitrust presentation slides	3/5/2010	evan diamond	eric agovino, gerald flattmann, melanie rupert, ryan coletti

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No.	Document Title	Document Date	Author	All Recipients
580	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_4).PPT	3/5/2010	IT	
581	For our discussion at 3:30pm	3/5/2010	eric agovino	charles ryan
582	Namenda IND Due Diligence Timeline.pdf	3/5/2010	ediamond	
583	RE: Forest/Privileged and Confidential	3/6/2010	ryan coletti	eric agovino, evan diamond, melanie rupert, michael sohn
584	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_6).PPT	3/6/2010	IT	
585	FW: Forest/Privileged and Confidential--Antitrust and Settlement Slides	3/7/2010	michael sohn	arthur golden, eric agovino, evan diamond, joel cohen, justin summers, melanie rupert, ryan coletti
586	forest.settlement.ppt	3/7/2010	msohn	
587	[Unnamed Presentation]	3/7/2010	msohn	
588	[Unnamed Presentation]	3/7/2010	msohn	
589	forest.antitrust.ppt	3/7/2010	msohn	
590	Slides for Namenda Client Presentation re Antitrust issues v 2 pptx_(16371987_7).PPT	3/8/2010	IT	
591	Revised Namenda PTE slides	3/8/2010	evan diamond	eric agovino, john desmarais, melanie rupert
592	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_7).PPT	3/8/2010	IT	
593	RE: Pharmaceuticals - Generic Industry Overview and Patent Case Reviews - COWEN RESEARCH NOTE DISTRIBUTION	3/8/2010	charles ryan	david solomon, eric agovino, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
594	Fw: Draft Memantine release	3/8/2010	rachel mears	charles ryan, david solomon, frank murdolo
595	Re: Draft Memantine release	3/8/2010	rachel mears	david solomon
596	RE: Forest/Privileged and Confidential--Antitrust and Settlement Slides	3/8/2010	justin summers	arthur golden, eric agovino, michael sohn

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
597	forest.antitrust.settlement.merged.PPT	3/8/2010	msohn	
598	FW: Forest/Privileged and Confidential	3/8/2010	eric agovino	f. dominic cerrito
599	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_6).PPT	3/8/2010	IT	
600	RE: Pharmaceuticals - Generic Industry Overview and Patent Case Reviews - COWEN RESEARCH NOTE DISTRIBUTION	3/8/2010	charles ryan	david solomon, eric agovino, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
601	Fw: Draft Memantine release	3/8/2010	rachel mears	charles ryan, david solomon, frank murdolo
602	Orchid Pharma - Memantine - Forest Labs settlement	3/8/2010	Ch Ram	
603	FW: Draft Memantine release	3/8/2010	david solomon	rachel mears
604	FW: Draft Memantine release	3/8/2010	david solomon	rachel mears
605	RE: Forest/Privileged and Confidential--Antitrust and Settlement Slides	3/8/2010	eric agovino	arthur golden, evan diamond, joel cohen, justin sommers, melanie rupert, michael sohn, ryan coletti
606	RE: Draft Memantine release	3/8/2010	frank murdolo	charles ryan, david solomon, rachel mears
607	Re: Draft Memantine release	3/8/2010	charles ryan	david solomon, frank murdolo, rachel mears
608	Fw: FINAL PTE presentation	3/8/2010	melanie rupert	eric agovino
609	DRAFT Slides for Namenda Client Presentation re Antitrust issues.v.2.pptx_(16371987_7).PPT	3/8/2010	IT	
610	forest antitrust settlement merged.PPT	3/8/2010	msohn	
611	RE: Forest/Privileged and Confidential--Antitrust and Settlement Slides	3/8/2010	eric agovino	michael sohn
612	Re: Draft Memantine release	3/8/2010	charles ryan	david solomon, frank murdolo, rachel mears
613	RE: Draft Memantine release	3/8/2010	frank murdolo	charles ryan, david solomon, rachel mears
614	FW: Draft Memantine release	3/9/2010	rachel mears	eric agovino
615	Orchid settlement agreement	3/9/2010	eric agovino	charles ryan, patrick jochum

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
616	EXECUTION COPY Orchid Settlement and License Agreement.DOC	3/9/2010	no Author	
617	RE: Draft Memantine release	3/9/2010	eric agovino	rachel mears
618	FW: Draft Memantine release	3/9/2010	rachel mears	eric agovino
619	FW: Draft Memantine release	3/9/2010	rachel mears	eric agovino
620	RE: Draft Memantine release	3/9/2010	eric agovino	rachel mears
621	SIT ANAL only (no product sit) Namenda FY11_3 4 js comments.doc	3/10/2010	fmoser	
622	RE: Forest v. Lupin Distribution - Oral Order Scheduling Pretrial Conference for 2010.03.16 [No Doc. Attached-Dkt Txt Only] - ENTERED 03/10/10	3/10/2010	john desmarais	charles ryan
623	Opposition to Mylan's Motion to Strike Dr. Malinow's Supplemental Report	3/11/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, melanie rupert, patrick jochum
624	REVISED Forest Response to Mylan's Motion to Exclude Malinow_(16372760_5).DOC	3/11/2010	kaspindl	
625	FW: Orchid settlement agreement	3/11/2010	eric agovino	emily wolkoff
626	Forest/Mylan/ privileged and confidential draft 8-K in the event of filing by Mylan	3/11/2010	michael sohn	arthur golden, herschel weinstein, justin sommers
627	AW: Orchid settlement agreement	3/11/2010	patrick jochum	charles ryan, eric agovino
628	FW: Mylan Term Sheet	3/14/2010	robert carnevale	david solomon, rachel mears
629	Mylan Deal Concept 1-20-10.doc	3/14/2010	David Solomon	
630	FW: Mylan Term Sheet	3/14/2010	robert carnevale	david solomon, rachel mears
631	Mylan Deal Concept 1-20-10.doc	3/14/2010	David Solomon	
632	Lexapro	3/15/2010	robert carnevale	david solomon, michael sohn, rachel mears
633	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert

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No.	Document Title	Document Date	Author	All Recipients
634	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
635	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
636	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	herschel weinstein	charles ryan
637	Fw: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
638	Mylan agreement	3/16/2010	eric agovino	charles ryan
639	2010-03-16 Draft Mylan Settlement and License Agreement (TRACK CHANGES).doc	3/16/2010	no Author	
640	Lexapro Medicaid Analysis	3/16/2010	robert carnevale	david solomon, michael sohn, rachel mears
641	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	gerald flattmann	charles ryan, eric agovino, melanie rupert
642	Fw: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann

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No.	Document Title	Document Date	Author	All Recipients
643	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
644	FW: Orchid Agreement	3/16/2010	robert carnevale	david solomon, herschel weinstein, rachel mears
645	RE: Lexapro	3/16/2010	robert carnevale	david solomon, michael sohn, rachel mears
646	FW: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	charles ryan	david solomon, herschel weinstein
647	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/16/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
648	FW: Orchid Agreement	3/16/2010	robert carnevale	david solomon, herschel weinstein, rachel mears
649	Re: Draft Mylan settlement agreement	3/17/2010	eric agovino	melanie rupert
650	Re: Draft Mylan settlement agreement	3/17/2010	melanie rupert	eric agovino
651	Re: Draft Mylan settlement agreement	3/17/2010	melanie rupert	charles ryan, eric agovino, john desmarais
652	3_16_10 MRR Comments to Forest Settlement Agreement_(16474759_1).DOC	3/17/2010	mrupert	
653	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, david solomon
654	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, john desmarais, melanie rupert
655	Final Namenda FY11 Strat Ops 02 16 10.ppt	3/17/2010	Christine Huelster	
656	Re: Draft Mylan settlement agreement	3/17/2010	eric agovino	melanie rupert
657	RE: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/17/2010	charles ryan	eric agovino, gerald flattmann, melanie rupert
658	Final Namenda FY11 Strat Ops 02 16 10.ppt	3/17/2010	Christine Huelster	

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No.	Document Title	Document Date	Author	All Recipients
659	Re: Draft Mylan settlement agreement	3/17/2010	melanie rupert	charles ryan, eric agovino, john desmarais
660	Re: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/17/2010	gerald flattmann	charles ryan, eric agovino, melanie rupert
661	Final Namenda FY11 Strat Ops 02.16.10.ppt	3/17/2010	Christine Huelster	
662	RE: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/17/2010	charles ryan	eric agovino, gerald flattmann, melanie rupert
663	RE: Lexapro Generic Analysis	3/18/2010	robert carnevale	david solomon, herschel weinstein, james finchen, michael sohn, rachel mears
664	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	charles ryan, david solomon, herschel weinstein
665	Re: Draft Mylan settlement agreement	3/18/2010	anne toker	eric agovino
666	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	melanie rupert
667	Re: Draft Mylan settlement agreement	3/18/2010	anne toker	eric agovino
668	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker, charles ryan, peter armenio
669	Lexapro Generic Analysis	3/18/2010	robert carnevale	david solomon, herschel weinstein, james finchen, michael sohn, rachel mears
670	RE: Draft Mylan settlement agreement	3/18/2010	anne toker	eric agovino
671	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
672	FW: Draft Mylan settlement agreement	3/18/2010	eric agovino	emily wolkoff
673	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	melanie rupert
674	Fw: Draft Mylan settlement agreement	3/18/2010	eric agovino	charles ryan
675	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
676	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker, charles ryan, peter armenio
677	Fw: Draft Mylan settlement agreement	3/18/2010	herschel weinstein	joanne mentz
678	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	charles ryan, david solomon, herschel weinstein

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No.	Document Title	Document Date	Author	All Recipients
679	RE: Draft Mylan settlement agreement	3/18/2010	anne toker	eric agovino
680	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
681	Fw: Draft Mylan settlement agreement	3/18/2010	eric agovino	charles ryan
682	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
683	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
684	Re: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
685	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
686	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	anne toker
687	RE: Draft Mylan settlement agreement	3/18/2010	eric agovino	charles ryan, david solomon, herschel weinstein
688	FW: Draft Mylan settlement agreement	3/18/2010	eric agovino	emily wolkoff
689	Fw: Forest v. Lupin Distribution - Folt Letter to Judge Sleet re Keeping Trial Date and Updating Status on Settlement Talks - FILED 03/16/2010	3/18/2010	charles ryan	eric agovino
690	Re: Draft Mylan settlement agreement	3/18/2010	melanie rupert	eric agovino
691	Re: Draft Mylan settlement agreement	3/18/2010	anne toker	charles ryan, eric agovino, peter armenio
692	Re: Draft Mylan settlement agreement	3/18/2010	peter armenio	anne toker, charles ryan, eric agovino
693	Re: Draft Mylan settlement agreement	3/19/2010	peter armenio	charles ryan
694	RE: Draft Mylan settlement agreement	3/19/2010	david solomon	charles ryan, eric agovino, herschel weinstein
695	RE: Draft Mylan settlement agreement	3/19/2010	david solomon	charles ryan, eric agovino, herschel weinstein
696	RE: Draft Mylan settlement agreement	3/19/2010	charles ryan	peter armenio
697	RE: Draft Mylan settlement agreement	3/19/2010	charles ryan	peter armenio
698	Re: Draft Mylan settlement agreement	3/20/2010	charles ryan	peter armenio
699	RE: Draft Mylan settlement agreement	3/20/2010	peter armenio	charles ryan
700	Final Namenda FY11 Strat Ops 02 16 10.ppt	3/22/2010	Christine Huelster	
701	RE: FW: Timing	3/22/2010	melanie rupert	eric agovino, gerald flattmann
702	FW: Memantine	3/23/2010	eric agovino	charles ryan, david solomon, herschel weinstein, rachel mears, robert carnevale

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
703	FW: Forest Insurance Liability Renewal FY2011 (patent question)	3/23/2010	theresa fico	charles ryan, eric agovino, jennifer fehrman, michael ciraolo, sandra arias
704	Fw: Namenda Stipulation	3/23/2010	melanie rupert	eric agovino, gerald flattmann
705	FW: Memantine	3/23/2010	eric agovino	charles ryan, david solomon, herschel weinstein, rachel mears, robert carnevale
706	Fw: Forest v. Lupin Distribution - Reply to Plaintiffs' Opposition to Mylan's MTS the Suppl. Expert Report of R. Malinow - FILED 03/22/2010	3/23/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
707	Fw: Forest v. Lupin Distribution - Reply to Plaintiffs' Opposition to Mylan's MTS the Suppl. Expert Report of R. Malinow - FILED 03/22/2010	3/23/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
708	Summary of settlement agreements.xls	3/24/2010	Forest Laboratories, Inc.	
709	AW: AW: Memantine	3/24/2010	patrick jochum	eric agovino
710	AW: Memantine	3/24/2010	patrick jochum	eric agovino
711	Re: AW: AW: AW: Memantine	3/24/2010	eric agovino	patrick jochum
712	Re: AW: AW: Memantine	3/24/2010	eric agovino	patrick jochum
713	AW: AW: AW: Memantine	3/24/2010	patrick jochum	eric agovino
714	FW: Memantine	3/24/2010	eric agovino	michael sohn
715	AW: Re: AW: AW: AW: Memantine	3/24/2010	patrick jochum	eric agovino
716	Re: AW: Memantine	3/24/2010	eric agovino	patrick jochum
717	RE: Memantine Litigation Settlement	3/25/2010	charles ryan	elaine hochberg
718	[Unnamed Presentation]	3/25/2010	no Author	
719	[Unnamed Presentation]	3/25/2010	no Author	
720	[Unnamed Presentation]	3/25/2010	no Author	
721	FW: U.S. Food & Drug Administration (FDA) Daily Digest Bulletin	3/25/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
722	RE: Memantine Litigation Settlement	3/25/2010	elaine hochberg	charles ryan, david solomon, eric agovino, frank perier, herschel weinstein, howard solomon, lawrence olanoff

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
723	[Unnamed Presentation]	3/25/2010	no Author	
724	RE: Memantine Litigation Settlement	3/25/2010	david solomon	elaine hochberg
725	RE: Memantine Litigation Settlement	3/25/2010	elaine hochberg	charles ryan, david solomon, eric agovino, frank perier, herschel weinstein, howard solomon, lawrence olanoff
726	RE: Memantine Litigation Settlement	3/25/2010	charles ryan	elaine hochberg
727	RE: Memantine Litigation Settlement	3/25/2010	elaine hochberg	charles ryan, david solomon, eric agovino, frank perier, herschel weinstein, howard solomon, lawrence olanoff
728	RE: Memantine Litigation Settlement	3/25/2010	howard solomon	charles ryan
729	RE: Memantine Litigation Settlement	3/25/2010	david solomon	elaine hochberg
730	[Unnamed Presentation]	3/25/2010	no Author	
731	RE: Memantine Litigation Settlement	3/25/2010	howard solomon	charles ryan
732	AW: Memantine	3/25/2010	patrick jochum	eric agovino
733	FW: U.S. Food & Drug Administration (FDA) Daily Digest Bulletin	3/25/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
734	AW: Memantine	3/25/2010	patrick jochum	eric agovino
735	RE: Memantine	3/26/2010	eric agovino	justin sommers, michael sohn, rachel mears
736	[Unnamed Presentation]	3/26/2010	no Author	
737	[Unnamed Presentation]	3/26/2010	no Author	
738	RE: Memantine	3/26/2010	michael sohn	eric agovino, justin sommers, rachel mears
739	[Unnamed Presentation]	3/26/2010	no Author	
740	RE: Memantine	3/26/2010	michael sohn	eric agovino, justin sommers, rachel mears
741	[Unnamed Presentation]	3/26/2010	no Author	
742	RE: Namenda settlements	3/30/2010	michael piacquadio	sylvia striker
743	RE: Merz invoices	3/30/2010	eric agovino	erin valente, ken viola, michael piacquadio
744	RE: Final 2010 Form 10-K	3/31/2010	eric agovino	charles ryan
745	Namenda settlement payments	4/5/2010	eric agovino	ken viola, michael piacquadio
746	FW: Namenda settlement payments	4/5/2010	michael piacquadio	erin valente
747	[Unnamed Presentation]	4/5/2010	S&H	
748	Memantine - PJA final changes to Mylan settlement agreement	4/16/2010	rebecca fogle	charles ryan, eric agovino, peter armenio

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
749	2010-04-16 draft memantine settlement agreement.doc	4/16/2010	no Author	
750	2010-04-16 PJA comments to Mylan settlement agreement.pdf	4/16/2010	no Author	
751	Memantine - PJA final changes to Mylan settlement agreement	4/16/2010	rebecca fogle	charles ryan, eric agovino, peter armenio
752	RE: IP Law360: Litigation, Policy & People News	4/29/2010	frank murdolo	charles ryan, eric agovino, jon garbo
753	Re: Orchid settles Litigation with Forest Laboratories for Memantine Tablets	4/29/2010	charles ryan	eric agovino, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
754	RE: IP Law360: Litigation, Policy & People News	4/29/2010	jon garbo	charles ryan, eric agovino, frank murdolo
755	RE: IP Law360: Litigation, Policy & People News	4/29/2010	frank murdolo	charles ryan, eric agovino, jon garbo
756	RE: IP Law360: Litigation, Policy & People News	4/29/2010	jon garbo	charles ryan, eric agovino, frank murdolo
757	RE: Namenda settlement payments	5/4/2010	michael piacquadio	eric agovino
758	RE: Namenda settlement payments	5/4/2010	eric agovino	michael piacquadio
759	RE: Litigation	5/5/2010	eric agovino	jennifer fehrman
760	RE: Litigation	5/5/2010	eric agovino	jennifer fehrman
761	RE: Litigation	5/5/2010	jennifer fehrman	eric agovino
762	Litigation	5/5/2010	jennifer fehrman	eric agovino
763	Memantine	5/6/2010	eric agovino	frank murdolo
764	RE: Namenda settlement payments	5/6/2010	rita weinberger	ken viola, sylvia striker
765	RE: Memantine	5/6/2010	frank murdolo	eric agovino
766	FW: Namenda settlement payments	5/6/2010	ken viola	rita weinberger
767	RE: Namenda settlement payments	5/6/2010	rita weinberger	ken viola, sylvia striker
768	FW: Namenda settlement payments	5/7/2010	ken viola	michael piacquadio, nandranie singh, victoria dejesus
769	RE: Namenda settlement payments	5/7/2010	ken viola	rita weinberger

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
770	May 17, 2010 Board of Directors Meeting; Litigation Update and Other Matters	5/13/2010	herschel weinstein	dan goldwasser, geocoh@aol.com, howard solomon, ken goodman, lawrence olanoff, lessalans@att.net, nbasgoz@partners.org, pzimetba@bidmc.harvard.edu, wcandee@optonline.com
771	Item 3 - Legal Proceedings 5.12.10.doc	5/13/2010	Forest Laboratories, Inc.	
772	2010-05-26 NAMENDA XR meeting.ppt	5/25/2010	Registered User	
773	2010-06-11 NAMENDA XR meeting.ppt	5/27/2010	Registered User	
774	Revised 2010-06-11 NAMENDA XR meeting v.3.ppt	6/10/2010	Registered User	
775	Fw: Revised slides/forecast for Namenda XR meeting	6/11/2010	nikhil nayak	june bray
776	Final Namenda XR Launch Options 2010-06-11.ppt	6/11/2010	Registered User	
777	RE: Revised slides/forecast for Namenda XR meeting	6/11/2010	eric agovino	charles ryan, eric agovino, nikhil nayak, william meury
778	NAMENDA Patent Litigation Settled	7/21/2010	eric agovino	charles ryan
779	NAMENDA Patent Litigation Settled	7/21/2010	eric agovino	charles ryan
780	Re: NAMENDA Patent Litigation Settled	7/22/2010	elaine hochberg	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
781	Re: NAMENDA Patent Litigation Settled	7/22/2010	elaine hochberg	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
782	RE: NAMENDA Patent Litigation Settled	7/22/2010	marco taglietti	charles ryan, david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, william meury
783	NAMENDA Patent Litigation Settled	7/22/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury

Ex. 1 - Documents highly likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
784	RE: NAMENDA Patent Litigation Settled	7/22/2010	marco taglietti	charles ryan, david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, william meury
785	NAMENDA Patent Litigation Settled	7/22/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury
786	Litigation Status Report December 7, 2009.doc	7/28/2010	no Author	
787	Litigation Status Report for Board Meeting 3.8.10 3.3.10.doc	7/28/2010	FBROWN	
788	Litigation Status Report for Board Meeting 3.8.10 v.2 3.3.10.doc	7/28/2010	FBROWN	
789	Litigation Status Report December 7, 2009.doc	7/28/2010	no Author	
790	Litigation Status Report for Board Meeting 3.8.10 v.2 3.3.10.doc	7/28/2010	FBROWN	
791	Litigation Status Report December 7, 2009 v.2.doc	7/28/2010	no Author	
792	Litigation Status Report for Board Meeting 3.8.10 3.3.10.doc	7/28/2010	FBROWN	
793	RE: Board of Directors Meeting; August 9, 2010	7/29/2010	eric agovino	charles ryan, jennifer fehrman
794	Litigation Status Report for Board Meeting (EMA edits).doc	7/29/2010	FBROWN	
795	june 2010 10q bod and certs draft.pdf	8/4/2010	rweinber	
796	Board of Directors Meeting; Litigation Status Report	8/5/2010	herschel weinstein	dan goldwasser, frank perier, geocoh@aol.com, howard solomon, ken goodman, lawrence olanoff, lessalans@att.net, nbasgoz@partners.org, pzimetba@bidmc.harvard.edu, wcandee@optonline.com

Exhibit 2

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1	RE: Namenda patent expiry	10/11/2007	eric agovino	charles triano
2	MerzAssignment.doc	10/12/2007	dharris	
3	Namenda Pre-Litigation Timeline_(12155819_1).DOC	10/15/2007	IT	
4	no Title	10/15/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, william meury
5	Namenda Pre-Litigation Timeline_(12155819_1) (2).DOC	10/15/2007	IT	
6	Cobalt's Paragraph IV notice letter	10/19/2007	eric agovino	charles ryan
7	Re: AW: Cobalt paragraph IV notice letter	10/19/2007	ellen scordino	charles ryan, eric agovino, f. dominic cerrito, g. patrick sage, gerald flattmann, patrick jochum, stephan guertler
8	Second ANDA Challenge for Memantine	10/22/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, marco taglietti, william meury
9	Re: Para IV notification by Actavis LLC.	10/22/2007	gerald flattmann	charles ryan, ellen scordino, eric agovino, f. dominic cerrito, g. patrick sage, martin zuegel, patrick jochum, stephan guertler
10	Second ANDA Challenge for Memantine	10/22/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, marco taglietti, william meury
11	Memo re Actavis Paragrah IV Notice.DOC	10/22/2007	IT	
12	Para IV notification by Actavis LLC.	10/22/2007	patrick jochum	charles ryan, ellen scordino, eric agovino, f. dominic cerrito, g. patrick sage, gerald flattmann, martin zuegel, stephan guertler

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
13	no Title	10/22/2007	charles ryan	charles triano, david solomon, debra marchese, elaine hochberg, frank perier, herschel weinstein, howard solomon, ivan gergel, lawrence olanoff, marco taglietti, william meury
14	Re: Para IV notification by Actavis LLC.	10/22/2007	gerald flattmann	charles ryan, ellen scordino, eric agovino, f. dominic cerrito, g. patrick sage, martin zuegel, patrick jochum, stephan guertler
15	Actavis Para IV Memo-Final.doc	10/23/2007	no Author	
16	Namenda Litigation Timeline.DOC	10/24/2007	IT	
17	Actionitems102907.doc	10/30/2007	Forest Laboratories, Inc.	
18	Merz	11/14/2007	lauren d'antuono	christopher meatto, wayne leblanc
19	MERZ_ Master Case File_(11917647_1).XLS	11/14/2007	IT	
20	Re: Forest Labs/Merz 40844-25 Litigation	11/16/2007	gerald flattmann	christopher meatto, melanie rupert, wayne leblanc
21	Re: Forest Labs/Merz 40844-25 Litigation	11/16/2007	melanie rupert	christopher meatto, gerald flattmann, wayne leblanc
22	Forest Labs/Merz 40844-25 Litigation	11/16/2007	wayne leblanc	christopher meatto, gerald flattmann, wayne leblanc
23	Re: Fw: Merz: Notice Letters	11/19/2007	melanie rupert	wayne leblanc
24	Fw: Merz: Notice Letters	11/19/2007	melanie rupert	wayne leblanc
25	40844-25 Forest Labs --2007-10-19 Letter from Shah (Actavis) to Forest Labs and Merz Pharma re Paragraph IV Notice re '703 Patent (5 mg and 10 mg), 2007-10-17 Letter from Rakoczy (Cobalt) to Forest Labs and Merz Pharma re Paragraph IV Notice re '703 Patent	11/19/2007	wayne leblanc	christopher meatto, wayne leblanc
26	Re: Merz: Notice Letters	11/19/2007	melanie rupert	lauren d'antuono, wayne leblanc

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
27	Forest Labs/Merz 40844-25 Reference information post meeting	11/21/2007	wayne leblanc	alexander greenberg, andres sawicki, christopher meatto, elizabeth bernard, ellen scordino, gerald flattmann, lindsay propes, melanie rupert, wayne leblanc
28	Forest Labs/Merz 40844-25 Reference information post meeting	11/21/2007	wayne leblanc	alexander greenberg, andres sawicki, christopher meatto, elizabeth bernard, ellen scordino, gerald flattmann, lindsay propes, melanie rupert, wayne leblanc
29	Forest Labs/Merz 40844-25 Reference information post meeting	11/21/2007	wayne leblanc	wayne leblanc
30	Forest Labs/Merz 40844-25 Reference information post meeting	11/21/2007	wayne leblanc	alexander greenberg, andres sawicki, christopher meatto, elizabeth bernard, ellen scordino, gerald flattmann, lindsay propes, melanie rupert, wayne leblanc
31	Litigation status update	11/27/2007	eric agovino	charles ryan
32	Litigation Status Report v 2 8 9 07.DOC	11/27/2007	STOKES	
33	Fw: Teva Para IV Ltr - Received 11/30/07	11/30/2007	gerald flattmann	alexander greenberg, andres sawicki, melanie rupert, wayne leblanc
34	Teva para IV notice letter.doc	12/3/2007	Forest Laboratories, Inc.	
35	12-18-07.ppt	12/3/2007	Charles Ryan	
36	Teva paragraph IV notice letter	12/3/2007	eric agovino	charles ryan
37	Teva para IV notice letter.doc	12/3/2007	Forest Laboratories, Inc.	
38	Teva paragraph IV digest.doc	12/3/2007	IT	
39	Teva Paragraph IV letter for memantine	12/5/2007	charles ryan	charles triano, david solomon, herschel weinstein, howard solomon, lawrence olanoff
40	Teva para IV notice letter.doc	12/5/2007	Forest Laboratories, Inc.	
41	Fw: Teva Paragraph IV letter for memantine	12/5/2007	david solomon	ditra walsh

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No.	Document Title	Document Date	Author	All Recipients
42	Teva para IV notice letter.doc	12/5/2007	Forest Laboratories, Inc.	
43	Cobalt para IV notice letter	12/7/2007	eric agovino	charles ryan
44	12-7-07 Para IV Memo-Final.doc	12/7/2007	no Author	
45	12_12_07 Client Presentation_(12256742_8).PPT	12/8/2007	installer	
46	12_12_07 Client Presentation_(12256742_8).PPT	12/8/2007	installer	
47	Fw: Letter to Teva Requesting ANDA, DMF, and API	12/10/2007	gerald flattmann	andres sawicki, charles ryan, eric agovino, eric stops, f. dominic cerrito, patrick jochum
48	DOCKET Fw: 40844-24 Namenda --2007-12-07 Letter from McCabe (for Barr Labs) to Forest Labs and Merz Pharma: Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/10/2007	wayne leblanc	christopher meatto, joseph cali, wayne leblanc
49	Re: 40844-24 Namenda --2007-12-07 Letter from McCabe (for Barr Labs) to Forest Labs and Merz Pharma: Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/10/2007	joseph cali	wayne leblanc
50	Fw: Notification Pursuant to § 505(j) (2) (B)(ii) of the Federal Food, Drug, and Cosmetic Act	12/10/2007	gerald flattmann	alexander greenberg, andres sawicki, wayne leblanc
51	Agenda_Dec12_2007.doc	12/10/2007	cs	
52	Re: Merz	12/11/2007	gerald flattmann	wayne leblanc
53	Merz	12/11/2007	gerald flattmann	wayne leblanc
54	DOCKET --Fw: 40844-25 --2007-12-07 Letter from Reddy (Orchid) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/11/2007	wayne leblanc	christopher meatto, joseph cali, wayne leblanc
55	Summary of Barr notice letter	12/11/2007	eric agovino	charles ryan

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No.	Document Title	Document Date	Author	All Recipients
56	12-11-07 Para IV Memo-Final.doc	12/11/2007	no Author	
57	Merz	12/12/2007	gerald flattmann	alexander greenberg, andres sawicki, melanie rupert, wayne leblanc
58	Draft Namenda ANDA press release for review	12/12/2007	charles triano	charles ryan, eric agovino, herschel weinstein
59	Namenda Sharepoint	12/12/2007	andres sawicki	wayne leblanc
60	Draft Namenda ANDA press release for review	12/12/2007	charles triano	charles ryan, eric agovino, herschel weinstein
61	Namenda ANDA.doc	12/12/2007	Forest Labs	
62	RE: Draft Namenda ANDA press release for review	12/12/2007	eric agovino	charles ryan, charles triano, herschel weinstein
63	Namenda ANDA.doc	12/12/2007	Forest Labs	
64	Fw: Namenda Sharepoint	12/12/2007	wayne leblanc	christopher meatto, wayne leblanc
65	Forest-Merz Proposed Expert List.DOC	12/13/2007	HiddenParaMarker	
66	Re: 40844-25 Namenda	12/13/2007	melanie rupert	wayne leblanc
67	Agenda_September-Meetings.doc	12/13/2007	cs	
68	Re: 40844-25 Patents and file history to add to the database	12/13/2007	wayne leblanc	christopher meatto, wayne leblanc
69	Re: 40844-25 Patents and file history to add to the database	12/13/2007	wayne leblanc	christopher meatto, wayne leblanc
70	40844-25 Namenda	12/13/2007	wayne leblanc	melanie rupert, wayne leblanc
71	40844-25 Patents and file history to add to the database	12/13/2007	wayne leblanc	christopher meatto, wayne leblanc
72	Fw: 40844-25 Namenda --2007-12-12 Letter from Mahoney (Upsher-Smith) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/14/2007	wayne leblanc	christopher meatto, joseph cali, wayne leblanc
73	Fw: Memantine; Teva ANDA 90-052; Kenyon Ref. 1907/A107US1	12/14/2007	andres sawicki	alexander greenberg, gerald flattmann, melanie rupert, wayne leblanc

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No.	Document Title	Document Date	Author	All Recipients
74	40844-25 Namenda --2007-12-12 Letter from Mahoney (Upsher-Smith) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/14/2007	wayne leblanc	#ny namenda
75	Art cited by Orchid	12/14/2007	andres sawicki	wayne leblanc
76	Fw: Para IV Notification by Upsher-Smith Laboratories	12/14/2007	melanie rupert	alexander greenberg, andres sawicki, wayne leblanc
77	12-18-07MemIPPortfolio.ppt	12/14/2007	Charles Ryan	
78	Merz	12/17/2007	gerald flattmann	wayne leblanc
79	Re: 40844-25 Binder containing Patents and file histories	12/17/2007	alexander greenberg	wayne leblanc
80	Re: Merz	12/17/2007	gerald flattmann	wayne leblanc
81	Re: 40844-25 Art cited by Orchid	12/18/2007	andres sawicki	wayne leblanc
82	Fw: Barr Laboratories, ANDA Memantine Hydrochloride	12/18/2007	gerald flattmann	wayne leblanc
83	Re: 40844-25 Binder containing Patents and file histories	12/18/2007	alexander greenberg	wayne leblanc
84	Re: Reference pull request (40844-0025 Forest Labs/Merz -Namenda)	12/18/2007	john fitzgerald	christopher meatto, wayne leblanc
85	Kemp JA TIPS Trends in Pharma Sci 1987 MK-801 NMDA receptors.pdf	12/18/2007	no Author	
86	Katzung Basic and Clinical Pharmacology 1989 p 4.pdf	12/18/2007	no Author	
87	Wesemann W J Neural Transm Suppl 1980 Distribution and metabolism.pdf	12/18/2007	no Author	
88	Wesemann W Arznetmittelforschung Drug Res 1982 Effect of 1-aminoadamantanes.pdf	12/18/2007	no Author	
89	Miltner Arzneimittelforschung Drug Res 1982 Wertigkeit.pdf	12/18/2007	no Author	

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No.	Document Title	Document Date	Author	All Recipients
90	FW: Barr Laboratories, ANDA Memantine Hydrochloride	12/18/2007	pauline giglio	charles ryan
91	Re: Reference pull request (40844-0025 Forest Labs/Merz -Namenda) - ref no 6	12/18/2007	john fitzgerald	christopher meatto, wayne leblanc
92	40844-0025	12/18/2007	UNKNOWN	
93	Genpharm Para IV 12-17-07 ltr.PDF	12/18/2007	no Author	
94	Wockhardt Para IV 12-14-07 ltr.PDF	12/18/2007	no Author	
95	Mylan Para IV 12-17-07 ltr.PDF	12/18/2007	no Author	
96	Lupin Para IV 12-13-07 ltr.PDF	12/18/2007	no Author	
97	Re: 40844-25 Binder containing Patents and file histories	12/18/2007	wayne leblanc	alexander greenberg, wayne leblanc
98	40844-25 Namenda --2007-12-17 Letter from Knott (Genpharm) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
99	N.B.: 40844-25 Namenda --2007-12-13 Letter from Ohly (Lupin) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
100	Re: 40844-0025 -Namenda Log	12/19/2007	wayne leblanc	alexander greenberg, christopher meatto, gerald flattmann, melanie rupert, wayne leblanc
101	Memantine Para IV Ltrs Log.doc	12/19/2007	lz	
102	Fw: From Charles Ryan - Memantine Para IV letters 1 of 2	12/19/2007	gerald flattmann	wayne leblanc
103	RE: Memantine Para IV Ltrs. Log	12/19/2007	lucy zamot	eric agovino
104	40844-25 Namenda --2007-12-14 Letter from Khera (Wockhardt) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc

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No.	Document Title	Document Date	Author	All Recipients
105	40844-25 Namenda --2007-12-14 Letter from Ohly (Lupin) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
106	Namenda Log	12/19/2007	melanie rupert	alexander greenberg, gerald flattmann, wayne leblanc
107	Memantine Para IV Ltrs Log.doc	12/19/2007	lz	
108	Fw: Memantine Para IV Ltrs. Log	12/19/2007	gerald flattmann	wayne leblanc
109	Summaries	12/19/2007	alexander greenberg	andres sawicki, gerald flattmann, melanie rupert, wayne leblanc
110	Things for Digging Up	12/19/2007	christopher meatto	wayne leblanc
111	40844-25 Namenda --2007-12-18 Letter from Heibel (Ranbaxy) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
112	Upsher-Smith Paragraph IV Notice	12/19/2007	christopher meatto	lucy zamot, wayne leblanc
113	RE: Barr Laboratories, ANDA Memantine Hydrochloride	12/19/2007	lucy zamot	gerald flattmann
114	Fw: Para IV by Ranbaxy	12/19/2007	gerald flattmann	alexander greenberg, andres sawicki, melanie rupert, wayne leblanc
115	Re: 40844-0025 -Namenda Log	12/19/2007	melanie rupert	wayne leblanc
116	Memantine Para IV Ltrs Log.doc	12/19/2007	lz	
117	40844-25 Namenda --2007-12-17 Letter from Flynn (Mylan) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/19/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
118	RE: Upsher-Smith Paragraph IV Notice	12/19/2007	lucy zamot	wayne leblanc
119	Par IV summaries aren't up to date; missing sun india and interpharm	12/21/2007	christopher meatto	wayne leblanc
120	Paragraph IV Summaries	12/21/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc

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No.	Document Title	Document Date	Author	All Recipients
121	40844-25 Namenda (Distribution Group Email Address) --2007-12-18 Letter from Edwards (Interpharm) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/21/2007	wayne leblanc	namendawg@kirkland.com
122	40844-25 Namenda --2007-12-18 Letter from Edwards (Interpharm) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/21/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
123	RE: Paragraph IV Summaries	12/21/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
124	RE: Paragraph IV Summaries	12/21/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
125	ParagraphIVNotices-MasterSummary_(12314652_1).DOC	12/21/2007	IT	
126	Fw: Interpharm notice letter	12/21/2007	gerald flattmann	alexander greenberg, andres sawicki, melanie rupert, wayne leblanc
127	40844-25 Namenda --2007-12-20 Letter from Blackman (Sun India) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	12/21/2007	christopher meatto	christopher meatto, joseph cali, wayne leblanc
128	RE: Paragraph IV Summaries	12/21/2007	charles ryan	alexander greenberg, andres sawicki, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
129	Paragraph IV Summaries	12/21/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
130	Paragraph IV Notices - Master Summary_(12314652_1).DOC	12/21/2007	IT	
131	FW: Paragraph IV Summaries	12/21/2007	eric agovino	michael ciraolo

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No.	Document Title	Document Date	Author	All Recipients
132	Paragraph IV Notices - Master Summary_(12314652_1).DOC	12/21/2007	IT	
133	FW: Presentation	12/21/2007	charles ryan	eric agovino
134	12_20_07 Client Presentation_(12256742_9).PPT	12/21/2007	installer	
135	12-21-07 Summary of Para IV Notices.pdf	12/22/2007	no Author	
136	Paragraph IV Summaries Update	12/22/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
137	ParagraphIVNotices-MasterSummary_(12314652_1).DOC	12/22/2007	IT	
138	Paragraph IV Summaries Update	12/22/2007	alexander greenberg	andres sawicki, charles ryan, eric agovino, gerald flattmann, melanie rupert, wayne leblanc
139	Timeline.PPT	1/2/2008	installer	
140	Re: Fw: Namenda Para IV ltrs	1/2/2008	christopher meatto	alexander greenberg, christopher meatto, melanie rupert, wayne leblanc
141	Paragraph IV Reference List.xls_(12331137_1).XLS	1/2/2008	IT	
142	Re: Fw: Namenda Para IV ltrs	1/2/2008	melanie rupert	alexander greenberg, christopher meatto, wayne leblanc
143	Paragraph IV Reference List.xls.XLS	1/3/2008	IT	
144	Re: Fw: 40844-25 -Namenda --Revised Excel chart regarding Paragraph IV notices	1/3/2008	melanie rupert	wayne leblanc
145	Paragraph IV Reference List.xls_(12331137_1).XLS	1/3/2008	IT	
146	DRAFT Namenda press release	1/4/2008	eric agovino	charles ryan
147	DRAFT Press release.doc	1/4/2008	Forest Labs	
148	Revised Par IV Reference List	1/4/2008	christopher meatto	alexander greenberg, andres sawicki, christopher meatto, melanie rupert, wayne leblanc

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No.	Document Title	Document Date	Author	All Recipients
149	Paragraph IV Reference List.xls_(12331137_3).XLS_(12333007_3).XLS	1/4/2008	IT	
150	40844-25 Namenda --2008-01-04 Letter from Banks (Reddy) to Forest Labs and Merz Pharma: re Paragraph IV Notice re '703 Patent (5mg and 10mg).	1/4/2008	christopher meatto	christopher meatto, joseph cali, wayne leblanc
151	Fw: 1/2/08 Reddy Laboratories, Inc. Para IV - received 1/4/08	1/4/2008	melanie rupert	namendawg
152	Memantine Para IV Ltrs Log.doc	1/4/2008	lz	
153	Reddy Lab. Para IV.PDF	1/4/2008	no Author	
154	2008-01-04 Log of Paragraph IV Letters.pdf	1/5/2008	no Author	
155	Fw: letter re memantine ANDAs - 540448-5683	1/11/2008	andres sawicki	gerald flattmann, melanie rupert, wayne leblanc
156	Letter from Barr	1/16/2008	eric agovino	charles ryan, eric stops, f. dominic cerrito, jack b.blumenfeld, patrick jochum, stephan guertler
157	1-15-08 letter re Pliva.pdf	1/16/2008	no Author	
158	Updated Barr para IV letter.pdf	1/16/2008	no Author	
159	Fw: Forest Labs / Cobalt & Barr 08-21 JUDICIAL ASSIGNMENT	1/16/2008	melanie rupert	namendawg
160	Fw: letter re memantine ANDAs - 540448-5683	1/18/2008	andres sawicki	melanie rupert, namendawg
161	Namenda: Protective Suits to Be Filed Next Week	1/24/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
162	Memantine Para IV Ltrs Log.doc	2/5/2008	lz	
163	Forest Manuscript 2 1 08.doc	2/5/2008	jcline	
164	Namenda: Proposed Settlement	2/8/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
165	Consent Judgement and Order - Interpharm_(12433600_1) (2).DOC	2/8/2008	IT	

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No.	Document Title	Document Date	Author	All Recipients
166	Consent Judgement and Order - Ranbaxy_(12433675_1).DOC	2/8/2008	IT	
167	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/11/2008	Registered User	
168	no Title	2/12/2008	david solomon	charles ryan, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
169	no Title	2/12/2008	william meury	elaine hochberg
170	FW: Collaboration with Forest on Memantine	2/12/2008	david solomon	charles ryan, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
171	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/12/2008	Registered User	
172	FW: Collaboration with Forest on Memantine	2/12/2008	william meury	elaine hochberg
173	FW: Collaboration with Forest on Memantine	2/12/2008	william meury	elaine hochberg
174	RE: Collaboration with Forest on Memantine	2/12/2008	charles ryan	david solomon, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
175	RE: Collaboration with Forest on Memantine	2/12/2008	charles ryan	david solomon, debra marchese, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
176	Re: Memantine Lawsuits	2/14/2008	gerald flattmann	charles ryan, f. dominic cerrito, jack blumenfeld, melanie rupert
177	Fw: Memantine Lawsuits	2/14/2008	gerald flattmann	charles ryan, f. dominic cerrito, jack blumenfeld, melanie rupert
178	Re: Memantine Lawsuits	2/14/2008	gerald flattmann	charles ryan, daniel malone, eric stops, f. dominic cerrito, jack blumenfeld, melanie rupert

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No.	Document Title	Document Date	Author	All Recipients
179	RE: Collaboration with Forest on Memantine	2/14/2008	debra marchese	charles ryan, david solomon, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
180	RE: Collaboration with Forest on Memantine	2/14/2008	debra marchese	charles ryan, david solomon, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
181	Re: Memantine Lawsuits	2/14/2008	gerald flattmann	charles ryan, f. dominic cerrito, jack blumenfeld, melanie rupert
182	RE: Collaboration with Forest on Memantine	2/14/2008	debra marchese	charles ryan, david solomon, elaine hochberg, erica boyer, ivan gergel, lawrence olanoff, rachel mears, robert jackson, shashank mahashabde, william meury
183	Re: Presentation	2/15/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
184	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/15/2008	Registered User	
185	2_22_08 Namenda Client Presentation_(12438520_3).PPT	2/15/2008	Registered User	
186	Fw: Memantine Lawsuits	2/15/2008	gerald flattmann	charles ryan
187	Presentation	2/15/2008	eric agovino	charles ryan, eric agovino, melanie rupert
188	Forest-Merz meeting 2-22-08 (DRAFT).ppt	2/15/2008	Registered User	
189	Re: Memantine Lawsuits	2/15/2008	gerald flattmann	charles ryan
190	Re: Collaboration with Forest on Memantine	2/16/2008	william meury	david solomon
191	no Title	2/16/2008	david solomon	william meury
192	FW: Collaboration with Forest on Memantine	2/16/2008	david solomon	william meury
193	Re: Collaboration with Forest on Memantine	2/16/2008	william meury	david solomon
194	Fw: Memantine Lawsuits	2/19/2008	gerald flattmann	charles ryan
195	Namenda Case: Notices of Dismissal Against Mylan and Genpharm	2/20/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann

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No.	Document Title	Document Date	Author	All Recipients
196	Genpharm-Interpharm NY Protective Genpharm Dismissal_(12467059_1).DOC	2/20/2008	HiddenParaMarker	
197	Mylan WV Protective Dismissal_(12467107_1).DOC	2/20/2008	HiddenParaMarker	
198	Namenda Presentation	2/20/2008	melanie rupert	alexander greenberg, andres sawicki, charles ryan, eric agovino, gerald flattmann
199	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/20/2008	Registered User	
200	Agenda_Feb22_2008.doc	2/20/2008	cs	
201	Namenda Power Point Presentation	2/21/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
202	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/21/2008	Registered User	
203	FW: Namenda Presentation	2/21/2008	eric agovino	christopher kibler
204	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/21/2008	Registered User	
205	Namenda Client Presentation	2/21/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
206	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/21/2008	Registered User	
207	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/21/2008	Registered User	
208	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/21/2008	Registered User	
209	FW: Draft Agenda- Feb 22 Meeting	2/22/2008	rachel mears	robert carnevale
210	FW: Namenda Power Point Presentation	2/22/2008	eric agovino	lucy zamot
211	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/22/2008	Registered User	
212	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/22/2008	Registered User	
213	2_22_08 Namenda Client Presentation_(12438520_7).PPT	2/26/2008	Registered User	

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No.	Document Title	Document Date	Author	All Recipients
214	2-27-08 Forest to Weiner re Expert Retention Letter.DOC	2/27/2008	IT	
215	Re: AW: Namenda - FDA contact	3/4/2008	gerald flattmann	alexander greenberg, andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, jack blumenfeld, melanie rupert, patrick jochum, stephan guertler
216	RE: Namenda - FDA contact	3/4/2008	eric agovino	alexander greenberg
217	FW: Barr Laboratories, ANDA Memantine Hydrochloride	3/4/2008	herschel weinstein	eric agovino
218	Memantine MR meeting (3-7-08).ppt	3/6/2008	Registered User	
219	Memantine MR meeting (3-7-08).ppt	3/6/2008	Registered User	
220	Orchid Healthcare	3/7/2008	eric agovino	charles ryan, mike baker
221	RE: MR meeting slides 3 6 08.ppt	3/7/2008	rajiv janikhel	debra marchese, eric agovino
222	Memantine MR meeting (3-7-08).ppt	3/7/2008	Registered User	
223	Settlement Offers from Interpharm and Ranbaxy	3/14/2008	melanie rupert	charles ryan, daniel malone, eric agovino, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, patrick jochum
224	Settlement Offers from Interpharm and Ranbaxy	3/14/2008	melanie rupert	charles ryan, daniel malone, eric agovino, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, patrick jochum
225	Ranbaxy's Revisions to Namenda Settlement Proposal	3/17/2008	melanie rupert	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
226	Re: 40844-25 Re: Namenda	3/17/2008	alexander greenberg	wayne leblanc
227	Namenda	3/17/2008	alexander greenberg	wayne leblanc
228	Re: 40844-25 Re: Namenda	3/17/2008	alexander greenberg	wayne leblanc
229	Re: Interpharm Settlement	3/18/2008	charles ryan	dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, melanie rupert
230	Re: Interpharm Settlement	3/18/2008	gerald flattmann	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, jack b.blumenfeld, melanie rupert

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No.	Document Title	Document Date	Author	All Recipients
231	Re: Interpharm Settlement	3/18/2008	gerald flattmann	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, jack b.blumenfeld, melanie rupert
232	Re: Interpharm Settlement	3/18/2008	charles ryan	eric agovino
233	Re: Interpharm Settlement	3/18/2008	f. dominic cerrito	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, gerald flattmann, jack b.blumenfeld, melanie rupert
234	Interpharm Settlement	3/18/2008	melanie rupert	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld
235	Re: Interpharm Settlement	3/18/2008	eric agovino	charles ryan
236	Interpharm Settlement	3/18/2008	melanie rupert	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld
237	Re: Interpharm Settlement	3/18/2008	eric agovino	charles ryan
238	Re: Interpharm Settlement	3/19/2008	gerald flattmann	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, jack blumenfeld, melanie rupert
239	RE: Interpharm Settlement	3/19/2008	jack blumenfeld	charles ryan, dmalone@jonesday.com, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert
240	Merz	3/21/2008	alexander greenberg	wayne leblanc
241	Re: 40844-25 Namenda --Re: Merz Caption and due dates for Second Wave	3/21/2008	alexander greenberg	wayne leblanc
242	Re: 40844-25 Namenda --Re: Merz Caption and due dates for Second Wave	3/21/2008	alexander greenberg	wayne leblanc

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No.	Document Title	Document Date	Author	All Recipients
243	Memantine Project Schedules- March	3/26/2008	carrie furin	allyson gage, antonia periclou, carrie furin, daniel jia, debra marchese, denise leclair, eric agovino, james perhach, kathleen waldron, pradeep banerjee, rajiv janjikhel, robert folger, salvatore iacono, stephen graham, terry martin
244	Project Schedule Memantine ER AD 31Mar08.doc	3/26/2008	Sandra Arias	
245	Project Schedule Namenda IR AD 31Mar08.doc	3/26/2008	Sandra Arias	
246	FW: Memantine Project Schedules- March	3/26/2008	eric agovino	jonathan mitchell, michael ciraolo
247	2007-11-09 Email, Merged, from Flattmann (KE) to Agovino (Forest) re Legal Hold Memor.pdf	3/28/2008	no Author	
248	RE: Memantine Project Team Meeting- Draft Agenda	4/3/2008	carrie furin	allyson gage, antonia periclou, daniel jia, debra marchese, denise leclair, eric agovino, james perhach, kathleen waldron, pradeep banerjee, rajiv janjikhel, robert folger, salvatore iacono, stephen graham, terry martin
249	Re: Ranbaxy's Revisions to Namenda Settlement Proposal	4/6/2008	gerald flattmann	charles ryan, eric agovino, melanie rupert
250	FW: Ranbaxy's Revisions to Namenda Settlement Proposal	4/6/2008	david solomon	charles ryan, herschel weinstein
251	Fw: Ranbaxy's Revisions to Namenda Settlement Proposal	4/6/2008	charles ryan	eric agovino, gerald flattmann, melanie rupert
252	Re: Ranbaxy's Revisions to Namenda Settlement Proposal	4/7/2008	charles ryan	david solomon, herschel weinstein
253	Re: Ranbaxy's Revisions to Namenda Settlement Proposal	4/7/2008	charles ryan	david solomon, herschel weinstein
254	Fw: Forest Laboratories Inc. et al v. Cobalt Laboratories Inc. et al (C.A. No. 08-21-GMS)	4/8/2008	melanie rupert	namendawg

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No.	Document Title	Document Date	Author	All Recipients
255	Q4 call prep doc 4 3 08 WORKING DRAFT (2).doc	4/8/2008	Forest Laboratories, Inc.	
256	Q4 call prep doc 4 3 08 WORKING DRAFT (2).doc	4/8/2008	Forest Laboratories, Inc.	
257	FW: Namenda Power Point Presentation	4/8/2008	eric agovino	michael ciraolo
258	2_22_08 Namenda Client Presentation_(12438520_7).PPT	4/8/2008	Registered User	
259	Q4 call prep doc 4 3 08 WORKING DRAFT (2).doc	4/8/2008	Forest Laboratories, Inc.	
260	Interpharm Settlement Docs	4/10/2008	melanie rupert	andres sawicki, charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
261	Interpharm Side Settlement Agreement_(12655995_5).DOC	4/10/2008	IT	
262	Revised Namenda update	4/11/2008	eric agovino	charles ryan
263	Namenda status update.doc	4/11/2008	Forest Laboratories, Inc.	
264	Namenda status update.doc	4/11/2008	Forest Laboratories, Inc.	
265	RE: Update Memo	4/14/2008	eric agovino	jennifer fehrman
266	April update.doc	4/14/2008	no Author	
267	Namenda status update4.22.doc	4/23/2008	Forest Laboratories, Inc.	
268	Fw: Apotex Para IV notice letter	4/23/2008	melanie rupert	namendawg
269	Apotex Para IV notice letter	4/23/2008	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
270	Memantine Para IV Ltrs Log.doc	4/23/2008	lz	

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No.	Document Title	Document Date	Author	All Recipients
271	Memantine Monthly Project Schedules	4/25/2008	carrie furin	allyson gage, antonia periclou, carrie furin, daniel jia, debra marchese, denise leclair, eric agovino, james perhach, kathleen waldron, pradeep banerjee, puneet sachdev, rajiv janjikhel, robert folger, salvatore iacono, stephen graham, terry martin
272	RE: Namenda: '703 Patent License Agreement	4/29/2008	eric agovino	charles ryan, gerald flattmann, melanie rupert
273	Namenda: '703 Patent License Agreement	4/29/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
274	FW: Our Discussions	5/12/2008	david solomon	charles ryan, herschel weinstein
275	Quarterly update memo	5/13/2008	eric agovino	charles ryan, lucy zamot
276	1stquarterupdate.doc	5/13/2008	no Author	
277	Forest_Merz costsharing May 2008.DOC	5/17/2008	Registered User	
278	22May2008MemIPPortfolio.ppt	5/20/2008	Charles Ryan	
279	22May2008MemIPPortfolio2.ppt	5/21/2008	Charles Ryan	
280	Namenda Expert Spreadsheet_(12819610_2).XLS	5/22/2008	IT	
281	Namenda Expert SpreadsheeT.XLS	5/23/2008	IT	
282	Fw: Dr. Cummings	5/29/2008	eric agovino	lucy zamot
283	J. Cummings Expert Retention Letter_(12873792_1).DOC	5/29/2008	IT	
284	Re: Fw: Clinical Approaches And Diagnostics Targeting Alzheimer's	6/2/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann
285	RE: Fw: Clinical Approaches And Diagnostics Targeting Alzheimer's	6/2/2008	eric agovino	charles ryan, gerald flattmann, melanie rupert
286	L. Schneider Expert Retention Letter_(12883227_1).DOC	6/2/2008	IT	
287	Fw: ANDA No. 90-244	6/4/2008	melanie rupert	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, jack b.blumenfeld, maryellen noreika, patrick jochum

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
288	Re: Fw: ANDA No. 90-244	6/4/2008	f. dominic cerrito	charles ryan, daniel malone, eric agovino, eric stops, jack b.blumenfeld, maryellen noreika, melanie rupert, patrick jochum
289	RE: ANDA No. 90-244	6/5/2008	eric agovino	charles ryan
290	RE: ANDA No. 90-244	6/5/2008	eric agovino	charles ryan, gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert
291	RE: ANDA No. 90-244	6/5/2008	eric agovino	charles ryan, gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert
292	40844-25 Namenda --Fw: Forest / Cobalt/Barr/Dr. Reddy's - 08-21/08-22/08-52 - TRANSCRIPT (May 20, 2008)	6/6/2008	wayne leblanc	charles ryan, eric agovino, jennifer fehrman, patrick jochum, wayne leblanc
293	Namenda Expert Spreadsheet3_(12819610_2).XLS	6/9/2008	IT	
294	Merz Cost Sharing Agreement	6/16/2008	rachel mears	david solomon, herschel weinstein
295	Blackline of Supplemental Agreement 2 15 08.doc	6/16/2008	no Author	
296	Forest_Merz costsharing May 2008.DOC	6/16/2008	Registered User	
297	Merz Cost Sharing Agreement	6/16/2008	rachel mears	david solomon, herschel weinstein
298	Namenda status update 6-24-08.doc	6/30/2008	Forest Laboratories, Inc.	
299	Namenda status update 7-1-08.doc	7/1/2008	Forest Laboratories, Inc.	
300	Caraco/Namenda updates	7/8/2008	eric agovino	charles ryan
301	Namenda Situational Analysis	7/10/2008	christine huelster	brooke shultis, james finchen, lauren dwyer, lisa valeriani, paul hering, severina digiandomenico
302	RE: Draft Wilson Sonsini Confidentiality Agreement	7/23/2008	eric agovino	david haber, ellen scordino
303	July 23 2008.ppt	7/23/2008	no Author	
304	Fw: Forest Laboratories Inc. et al. v. Cobalt Labs., Inc. et al.,Case No. 08-021 Consolidated	8/5/2008	melanie rupert	charles ryan, eric agovino, namendawg

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
305	FW: Pricing Strategy for Once Daily Namenda	8/7/2008	james finchen	donald macdonald, lisa valeriani
306	FW: Namenda Situational Analysis	8/11/2008	severina digiandomenico	james finchen
307	Barr settlement proposal	8/14/2008	f. dominic cerrito	charles ryan, claudia zumbro, eric agovino, patrick jochum
308	FW: Pricing Strategy for Once Daily Namenda	8/18/2008	james finchen	severina digiandomenico
309	FW: Pricing Committee Meeting revision_081908 v2.ppt	8/18/2008	james finchen	donald macdonald, severina digiandomenico
310	Pricing Committee Meeting revision_081908 v2.ppt	8/18/2008	no Author	
311	RE: Dept meeting	8/25/2008	eric agovino	jennifer fehrman
312	Plaintiffs' porposed list of claim terms for construction_(13354518_1).DOC	9/10/2008	IT	
313	Patent Claim Construction Chart.DOC	9/10/2008	IT	
314	Fw: Memantine, Merz and IQWiG - this needs your immediate attention	9/11/2008	eric agovino	michael ciraolo
315	2008-09-10 Email from Flattmann to Molino re Joint Claim Chart, Defendants' Proposed Schedule.pdf	9/11/2008	no Author	
316	RE: Commercial strategy	9/11/2008	james finchen	troy sheldon
317	RE: Commercial strategy	9/11/2008	james finchen	james finchen, troy sheldon
318	FW: Namenda Litigation - Claim Construction	9/15/2008	eric agovino	lucy zamot
319	FW: cost sharing agreement and next steps	9/17/2008	david solomon, herschel weinstein	rachel mears
320	FW: cost sharing agreement and next steps	9/17/2008	david solomon	ditra walsh
321	FW: cost sharing agreement and next steps	9/17/2008	ditra walsh	david solomon

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
322	FW: cost sharing agreement and next steps	9/19/2008	rachel mears	robert carnevale
323	FW: cost sharing agreement and next steps	9/20/2008	ditra walsh	david solomon
324	FW: cost sharing agreement and next steps	9/20/2008	david solomon	ditra walsh
325	Proposed Claim Terms for Namenda Claim Construction	9/26/2008	melanie rupert	charles ryan, eric agovino, gerald flattmann, patrick jochum
326	Patent Claim Construction Chart (Version for Circulation)_(13354872_1).DOC	9/26/2008	IT	
327	Plaintiffs' Proposed List of Claim Construction Terms_(13354518_1).DOC	9/26/2008	IT	
328	FW: Dept meeting tomorrow	10/1/2008	eric agovino	michael ciraolo
329	RE: Update Memo	10/1/2008	eric agovino	charles ryan
330	SecThirdQuarter2008IPupdate (2) (2).doc	10/1/2008	no Author	
331	RE:	10/1/2008	eric agovino	charles ryan
332	RE: Dept meeting tomorrow	10/1/2008	eric agovino	jennifer fehrman
333	Namenda timeline.xls	10/2/2008	no Author	
334	Memantine Para IV Ltrs Log.doc	10/3/2008	lz	
335	Blackline of Amendment to License and Cooperation Agreement 10.13.08.doc	10/13/2008	no Author	
336	Blackline of Amendment to License and Cooperation Agreement 10.13.08.doc	10/13/2008	no Author	
337	Blackline of Amendment to License and Cooperation Agreement 10.13.08.doc	10/13/2008	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
338	Blackline of Amendment to License and Cooperation Agreement 10.13.08.doc	10/13/2008	no Author	
339	RE: RE:	10/17/2008	matthew goldenberg	james finchen
340	RE: RE:	10/20/2008	david okimoto	james finchen
341	Namenda Client Presentation - October 21 2008_(13503464_1).PPT	10/21/2008	IT	
342	Abridged Namenda Client Presentation - October 21 2008_(13503992_2) (2).PPT	10/21/2008	IT	
343	Namenda Presentations	10/21/2008	alexander greenberg	charles ryan, eric agovino, gerald flattmann
344	Namenda Client Presentation - October 21, 2008_(13503464_1).PPT	10/21/2008	IT	
345	Abridged Namenda Client Presentation - October 21, 2008_(13503992_2).PPT	10/21/2008	IT	
346	Orchid Supply Term Sheet Draft #2.doc	10/22/2008	Robert Carnevale	
347	Orchid Memo of Understanding Draft #3.doc	10/22/2008	Robert Carnevale	
348	FW: Draft Orchid Term Sheet	10/23/2008	robert carnevale	rachel mears, ralph kleinman
349	Orchid Supply Term Sheet Draft #2.doc	10/23/2008	Robert Carnevale	
350	RE: Namenda IND	10/23/2008	eric agovino	melanie rupert
351	Re: Draft Orchid Term Sheet	10/24/2008	ralph kleinman	frank perier, rachel mears, robert carnevale
352	RE: Draft Orchid Term Sheet	10/24/2008	ralph kleinman	frank perier, rachel mears, ralph kleinman, robert carnevale
353	Orchid Supply Term Sheet Draft #2.doc	10/27/2008	Robert Carnevale	
354	Orchid Memo of Understanding Draft #3.doc	10/27/2008	Robert Carnevale	
355	RE: Patent Questions	10/27/2008	frank murdolo	charles ryan, eric agovino

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
356	RE: Patent Questions	10/27/2008	eric agovino	charles ryan, frank murdolo
357	Blackline of Amendment to License and Cooperation Agreement 10.27.08.doc	10/27/2008	no Author	
358	Blackline of Amended and Restated Neramexane Agreement 10.27.08.doc	10/27/2008	no Author	
359	RE: Patent Questions	10/27/2008	eric agovino	charles ryan, frank murdolo
360	RE: Draft Orchid Term Sheet	10/28/2008	robert carnevale	rachel mears, ralph kleinman
361	RE: Draft Orchid Term Sheet	10/28/2008	ralph kleinman	frank perier, herschel weinstein, rachel mears, robert carnevale
362	RE: Orchid Memo of Understanding	10/29/2008	robert carnevale	james dinunzio, sebastian assenza
363	RE: Draft Orchid Term Sheet	10/29/2008	sebastian assenza	david solomon, herschel weinstein, james dinunzio, rachel mears, robert carnevale, shashank mahashabde
364	RE: Draft Orchid Term Sheet	10/29/2008	robert carnevale	james dinunzio, rachel mears
365	RE: Draft Orchid Term Sheet	10/29/2008	ralph kleinman	frank perier, herschel weinstein, rachel mears, robert carnevale
366	Forest Labs - Orchid - MOU - 01-Nov-08.doc	11/3/2008	Syam	
367	FW: Draft Orchid Term Sheet	11/4/2008	robert carnevale	rachel mears
368	Orchid Supply Term Sheet Draft #2.doc	11/4/2008	Robert Carnevale	
369	FW: Draft Orchid Term Sheet	11/4/2008	robert carnevale	rachel mears
370	Orchid Ceftaroline Supply Terms 10-28-08.doc	11/4/2008	no Author	
371	RE: Namenda Claim Construction Brief	11/5/2008	eric agovino	melanie rupert
372	Plaintiffs' Opening Claim Construction Brief_(Forest comments).DOC	11/5/2008	IT	
373	Namenda Claim Construction Brief	11/5/2008	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
374	Plaintiffs' Opening Claim Construction Brief_(13129186_9).DOC	11/5/2008	IT	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
375	Blackline of Amendent to License and Cooperation Agreement 11.13.08.doc	11/13/2008	no Author	
376	Blackline of Amended and Restated Neramexane Agreement 11.13.08.doc	11/13/2008	no Author	
377	Blackline of Amendent to License and Cooperation Agreement 11.13.08.doc	11/13/2008	no Author	
378	Blackline of Amendent to License and Cooperation Agreement 11.13.08.doc	11/13/2008	no Author	
379	Merz	11/14/2008	herschel weinstein	david solomon, rachel mears
380	Blackline of Amended and Restated Neramexane Agreement 11.13.08.doc	11/14/2008	no Author	
381	Blackline of Amendment to License and Cooperation Agreement 11.13.08.doc	11/14/2008	no Author	
382	FW: Merz	11/16/2008	david solomon	rachel mears
383	Blackline of Amended and Restated Neramexane Agreement 11.13.08.doc	11/16/2008	no Author	
384	Blackline of Amendment to License and Cooperation Agreement 11.13.08.doc	11/16/2008	no Author	
385	Blackline of Amended and Restated Neramexane Agreement 11.13.08.doc	11/17/2008	no Author	
386	Blackline of Amendment to License and Cooperation Agreement 11.17.08.doc	11/17/2008	no Author	
387	Orchid Memo of Understanding - Final.doc	11/18/2008	Robert Carnevale	
388	Amended Replies	11/21/2008	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, manuel velez, maryellen noreika, patrick jochum

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
389	Current Draft of Namenda Claim Construction Brief	11/21/2008	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, john desmarais, maryellen noreika, patrick jochum
390	Responsive Claim Construction Brief_(13745703_5).DOC	11/21/2008	IT	
391	Responsive Claim Construction Brief	11/21/2008	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
392	Responsive Claim Construction Brief_(13745703_4).DOC	11/21/2008	IT	
393	RE: Current Draft of Namenda Claim Construction Brief	11/23/2008	eric agovino	charles ryan, melanie rupert
394	RE: Current Draft of Namenda Claim Construction Brief	11/23/2008	eric agovino	charles ryan, melanie rupert
395	RE: Current Draft of Namenda Claim Construction Brief	11/24/2008	melanie rupert	eric agovino
396	Namenda MR Conversion Strategy.ppt	11/24/2008	James Finchen	
397	Fw: redlined agreements	11/25/2008	ditra walsh	david solomon
398	FW: redlined agreements	11/25/2008	rachel mears	david solomon, herschel weinstein, robert carnevale
399	2008-11-25 Merged Email from Jochum to Rupert Encl. Ferris Signed Retention Letter.pdf	12/2/2008	no Author	
400	Blackline of Amendment to License and Cooperation Agreement 12.3.08.doc	12/3/2008	no Author	
401	Blackline of Amendment to License and Cooperation Agreement 12.3.08.doc	12/3/2008	no Author	
402	Blackline of Amendment to License and Cooperation Agreement 12.3.08.doc	12/4/2008	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
403	Draft Markman Slides.ppt_(13799581_3).PPT	12/9/2008	Multimedia Department	
404	Draft Markman Slides.ppt_(13799581_3).PPT	12/9/2008	Multimedia Department	
405	FW: almost final, final....	12/10/2008	rachel mears	david solomon, herschel weinstein
406	Re: Orchid Term Sheet	12/11/2008	rachel mears	david solomon, robert carnevale
407	NAMENDA XR and Sun Design	12/12/2008	christopher serbagi	eric agovino, jennifer fehrman
408	FW: Forest Agreements	12/14/2008	david solomon, herschel weinstein	rachel mears
409	Allergan2.ppt	1/7/2009	Charles Ryan	
410	Allergan2.ppt	1/7/2009	Charles Ryan	
411	Allergan2009.ppt	1/8/2009	Charles Ryan	
412	FW: Orchid Term Sheet	1/14/2009	robert carnevale	james dinunzio, shashank mahashabde
413	MEM IR PLR conversion V2 14 Jan 2009 (clean).doc	1/15/2009	no Author	
414	MEM IR PLR conversion V2 14 Jan 2009 (track changes).doc	1/15/2009	no Author	
415	Senior Staff agenda Jan 22, 2009	1/21/2009	sam soffer	carol satler, charles lindamood, charles ryan, deirdre archibald, john castellana, jose freire-moar, jose rojas, june bray, kim thacker, marco taglietti, monica fencik, paul grint, ramaswamy murari, robert jackson, shashank mahashabde, srinivas vangala, theresa fico, ulo palm
416	Litigation timeline.doc	1/22/2009	jfehrman	
417	RE: Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	charles ryan	gerald flattmann, melanie rupert
418	Re: Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	gerald flattmann	charles ryan, melanie rupert
419	RE: Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	melanie rupert	charles ryan

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No.	Document Title	Document Date	Author	All Recipients
420	Re: AW: Namenda - Response to DRL Interrogatory	1/23/2009	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, g. patrick sage, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum, stephan guertler
421	Re: Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	melanie rupert	charles ryan, gerald flattmann
422	AW: Namenda - Response to DRL Interrogatory	1/23/2009	stephan guertler	charles ryan, eric agovino, eric stops, f. dominic cerrito, g. patrick sage, gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert, patrick jochum
423	Re: AW: Namenda - Response to DRL Interrogatory	1/23/2009	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, g. patrick sage, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum, stephan guertler
424	Re: Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	melanie rupert	charles ryan, gerald flattmann
425	AW: Namenda - Response to DRL Interrogatory	1/23/2009	stephan guertler	charles ryan, eric agovino, eric stops, f. dominic cerrito, g. patrick sage, gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert, patrick jochum
426	Fw: AW: Namenda - Response to DRL Interrogatory	1/23/2009	charles ryan	melanie rupert
427	Staff agenda January 29, 2009.doc	1/28/2009	sam soffer	carol satler, charles lindamood, charles ryan, deirdre archibald, john castellana, jose freire-moar, jose rojas, june bray, kim thacker, marco taglietti, monica fencik, paul grint, ramaswamy murari, robert jackson, shashank mahashabde, srinivas vangala, theresa fico, ulo palm
428	RE: Please update lit section for tomorrow	1/28/2009	eric agovino	jennifer fehrman
429	Litigation timeline.doc	1/29/2009	eric agovino	lucy zamot
430	Litigation timeline.doc	1/29/2009	jfehrman	

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No.	Document Title	Document Date	Author	All Recipients
431	Memantine settlement meeting.ppt	1/30/2009	Registered User	
432	RE: Orchid Term Sheet	2/4/2009	robert carnevale	james dinunzio, rachel mears
433	RE: Orchid Term Sheet	2/9/2009	robert carnevale	rachel mears
434	RE: Orchid Term Sheet	2/9/2009	robert carnevale	rachel mears
435	FW: Orchid Term Sheet	2/10/2009	robert carnevale	melissa cooper, rachel mears
436	RE: Orchid Term Sheet	2/10/2009	rachel mears	robert carnevale
437	RE: Namenda	2/10/2009	xin miao	eric agovino
438	RE: Dept meeting next Tuesday	2/17/2009	eric agovino	charles ryan, jennifer fehrman
439	REVISED memantine term sheet	2/19/2009	eric agovino	charles ryan, david solomon
440	REVISED memantine term sheet	2/19/2009	eric agovino	charles ryan, david solomon
441	FW: REVISED memantine term sheet	2/20/2009	david solomon	ditra walsh
442	RE: REVISED memantine term sheet	2/20/2009	eric agovino	charles ryan, david solomon
443	Namenda Litigation - Share Drive Reports	2/20/2009	darcelle gleason	alexander greenberg, eric agovino
444	RE: REVISED memantine term sheet	2/20/2009	eric agovino	charles ryan, david solomon
445	RE: DRAFT letter to Orchid	2/23/2009	eric agovino	rachel mears
446	Orchid.doc	2/23/2009	no Author	
447	DRAFT letter to Orchid	2/23/2009	eric agovino	charles ryan
448	Orchid.doc	2/23/2009	no Author	
449	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
450	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
451	Re: Additional Forest comments to term sheet	2/25/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, melanie rupert, patrick jochum
452	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
453	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
454	FW: Memantine Settlement Proposal	2/25/2009	charles ryan	eric agovino
455	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	

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No.	Document Title	Document Date	Author	All Recipients
456	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
457	Additional Forest comments to term sheet	2/25/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum
458	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
459	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
460	DRAFT term sheet for memantine litigation	2/25/2009	eric agovino	charles ryan, michael sohn
461	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
462	FW: Memantine Settlement Proposal	2/25/2009	david solomon	ditra walsh
463	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
464	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
465	FW: Additional Forest comments to term sheet	2/25/2009	charles ryan	david solomon
466	Memantine settlement proposal (TRACK CHANGES).DOC	2/25/2009	IT	
467	Memantine settlement proposal (CLEAN).DOC	2/25/2009	IT	
468	Fw: Memantine Settlement Proposal	2/26/2009	david solomon	elaine hochberg
469	Memantine settlement proposal (TRACK CHANGES).DOC	2/26/2009	IT	
470	Memantine settlement proposal (CLEAN).DOC	2/26/2009	IT	
471	Fw: Memantine Settlement Proposal	2/26/2009	david solomon	elaine hochberg
472	Memantine settlement proposal (TRACK CHANGES).DOC	2/26/2009	IT	

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No.	Document Title	Document Date	Author	All Recipients
473	Memantine settlement proposal (CLEAN).DOC	2/26/2009	IT	
474	Namenda - Subpoenas on Fillit and Weiner	2/27/2009	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, patrick jochum
475	Namenda - Subpoenas on Fillit and Weiner	2/27/2009	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, patrick jochum
476	RE: FW: Memantine reexam	3/3/2009	eric agovino	gregory morris, melanie rupert
477	Re: FW: Memantine reexam	3/3/2009	melanie rupert	eric agovino, gregory morris
478	Signed agreement from Fillit.TIF	3/3/2009	no Author	
479	Signed agreement from Weiner.TIF	3/3/2009	no Author	
480	RE: AW: Additional Forest comments to term sheet	3/3/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
481	Memantine settlement proposal (CLEAN).DOC	3/3/2009	IT	
482	Memantine settlement proposal (TRACKED CHANGES).DOC	3/3/2009	IT	
483	Draft Orchid Term Sheet and Cover Note	3/3/2009	rachel mears	david solomon, herschel weinstein
484	Orchid Term Sheet Cover Note (3_2_09).doc	3/3/2009	no Author	
485	Signed agreement from Fillit.TIF	3/3/2009	no Author	
486	Signed agreement from Weiner.TIF	3/3/2009	no Author	
487	FW: AW: Additional Forest comments to term sheet	3/3/2009	eric agovino	charles ryan, michael sohn
488	Memantine settlement proposal (CLEAN).DOC	3/3/2009	IT	
489	Memantine settlement proposal (TRACKED CHANGES).DOC	3/3/2009	IT	
490	Signed agreement from Weiner.TIF	3/3/2009	no Author	
491	Signed agreement from Fillit.TIF	3/3/2009	no Author	
492	Fw: Orchid	3/5/2009	rachel mears	david solomon

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
493	Blackline of Orchid Term Sheet Cover Note 3.5.09.doc	3/5/2009	no Author	
494	REVISED memantine term sheet and generic company assignments	3/6/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
495	Generic Company Assignments.doc	3/6/2009	no Author	
496	3-6-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/6/2009	IT	
497	3-6-09 Memantine settlement proposal (CLEAN).DOC	3/6/2009	IT	
498	3-6-09 Memantine settlement proposal (CLEAN).DOC	3/7/2009	IT	
499	RE: Please resend latest draft; it has disappeared from my computer!	3/9/2009	eric agovino	michael sohn
500	3-6-09 Memantine settlement proposal (CLEAN).DOC	3/9/2009	IT	
501	RE: LCM - FRX: PTO patent term extension for Namenda to 2015 adds 1.5 yrs of sales to our model, helps stagger patent cliff; BUY	3/10/2009	lawrence olanoff	charles ryan
502	REVISED memantine settlement proposal (3-10-09)	3/10/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, michael sohn, patrick jochum
503	3-10-09 Memantine settlement proposal (CLEAN).DOC	3/10/2009	IT	
504	3-10-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/10/2009	IT	
505	FW: Orchid	3/10/2009	david solomon	ditra walsh
506	Fw: Forest, et al. v. Cobalt, et al. Correspondence	3/11/2009	andres sawicki	charles ryan, daniel malone, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
507	FW: Settlement Agreement	3/12/2009	david solomon	ditra walsh
508	3-10-09 Memantine settlement proposal (CLEAN).DOC	3/12/2009	IT	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
509	RE: Settlement Agreement	3/12/2009	eric agovino	charles ryan, david solomon, herschel weinstein
510	3-10-09 Memantine settlement proposal (CLEAN).DOC	3/12/2009	IT	
511	RE: Settlement Agreement	3/12/2009	eric agovino	charles ryan, david solomon, herschel weinstein
512	3-10-09 Memantine settlement proposal (CLEAN).DOC	3/12/2009	IT	
513	REVISED memantine settlement proposal	3/13/2009	eric agovino	charles ryan, david solomon, herschel weinstein
514	3-13-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/13/2009	IT	
515	RE: Conv w Counsel for Merz	3/13/2009	eric agovino	charles ryan, michael sohn
516	3-13-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/13/2009	IT	
517	Fw: REVISED memantine settlement proposal	3/13/2009	david solomon	ditra walsh
518	3-13-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/13/2009	IT	
519	REVISED memantine settlement proposal	3/13/2009	eric agovino	charles ryan, david solomon, herschel weinstein
520	3-13-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/13/2009	IT	
521	REVISED memantine settlement proposal (3-16-09)	3/16/2009	eric agovino	charles ryan, herschel weinstein
522	3-16-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/16/2009	IT	
523	3-16-09 Memantine settlement proposal (CLEAN).DOC	3/16/2009	IT	
524	Re: Orchid	3/16/2009	david solomon	rachel mears
525	FW: Orchid	3/16/2009	david solomon	eric agovino
526	Re: Orchid	3/16/2009	david solomon	rachel mears
527	RE: Orchid	3/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein, rachel mears

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
528	Fw: Orchid	3/16/2009	rachel mears	david solomon
529	RE: Orchid	3/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein, rachel mears
530	Blackline of Orchid Term Sheet Cover Note 3 5 09.doc	3/16/2009	no Author	
531	RE: Orchid	3/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein, rachel mears
532	FW: Orchid	3/16/2009	david solomon	charles ryan, herschel weinstein, rachel mears
533	FW: Orchid	3/16/2009	david solomon	charles ryan, herschel weinstein, rachel mears
534	Fw: Orchid	3/16/2009	charles ryan	eric agovino
535	Blackline of Orchid Term Sheet Cover Note 3.5.09.doc	3/16/2009	no Author	
536	FW: Orchid	3/17/2009	david solomon	ditra walsh
537	Memantine Settlement/ Privileged and Confidential	3/17/2009	michael sohn	charles ryan, eric agovino, herschel weinstein
538	RE: Orchid	3/18/2009	herschel weinstein	david solomon
539	Re: Orchid	3/18/2009	charles ryan	david solomon, eric agovino, herschel weinstein, rachel mears
540	FW: Orchid	3/18/2009	david solomon	rachel mears
541	Re: Orchid	3/18/2009	charles ryan	david solomon, eric agovino, herschel weinstein, rachel mears
542	FW: Orchid	3/18/2009	david solomon	rachel mears
543	FW: Orchid	3/18/2009	david solomon	charles ryan, eric agovino, herschel weinstein, rachel mears
544	RE: Orchid	3/20/2009	david solomon	charles ryan, eric agovino, herschel weinstein, rachel mears
545	RE: Orchid	3/20/2009	david solomon	charles ryan, eric agovino, herschel weinstein, rachel mears
546	Re: Orchid	3/21/2009	charles ryan	david solomon
547	Re: REVISED Memantine settlement proposal (3-23-09)	3/23/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, michael sohn, paproger@jonesday.com, patrick jochum

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No.	Document Title	Document Date	Author	All Recipients
548	3-23-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/23/2009	IT	
549	3-23-09 Memantine settlement proposal (CLEAN).DOC	3/23/2009	IT	
550	Re: Namenda settlement	3/23/2009	david solomon	charles ryan, eric agovino, herschel weinstein
551	Re: Namenda settlement	3/23/2009	charles ryan	david solomon, eric agovino, herschel weinstein
552	RE: Memantine Settlement/ Privileged and Confidential	3/23/2009	eric agovino	charles ryan, michael sohn
553	3-23-09 Memantine settlement proposal (CLEAN).DOC	3/23/2009	IT	
554	Re: Namenda settlement	3/23/2009	charles ryan	david solomon, eric agovino, herschel weinstein
555	REVISED Memantine settlement proposal (3-23-09)	3/23/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, michael sohn, paproger@jonesday.com, patrick jochum
556	3-23-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/23/2009	IT	
557	3-23-09 Memantine settlement proposal (CLEAN).DOC	3/23/2009	IT	
558	Re: Namenda settlement	3/23/2009	david solomon	charles ryan, eric agovino, herschel weinstein
559	RE: Namenda settlement	3/23/2009	herschel weinstein	charles ryan, eric agovino
560	REVISED Memantine settlement proposal	3/25/2009	eric agovino	patrick jochum
561	3-23-09 Memantine settlement proposal (CLEAN).DOC	3/25/2009	IT	
562	3-23-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/25/2009	IT	
563	RE: Orchid Term Sheet	3/25/2009	robert carnevale	melissa cooper, rachel mears
564	RE: Namenda - Stipulation to Dismiss Orchid Pharma	3/25/2009	eric agovino	andres sawicki, charles ryan, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
565	REVISED memantine settlement agreement (3-27-09)	3/27/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, herschel weinstein, patrick jochum

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No.	Document Title	Document Date	Author	All Recipients
566	3-27-09 Memantine settlement proposal (TRACK CHANGES).DOC	3/27/2009	IT	
567	3-27-09 Memantine settlement proposal (CLEAN).DOC	3/27/2009	IT	
568	Memantine Settlement	3/30/2009	herschel weinstein	charles ryan, eric agovino
569	Blackline of Memantine Settlement Proposal 3.30.09.doc	3/30/2009	no Author	
570	FINAL memantine settlement proposal	3/31/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum
571	FINAL Memantine Settlement Proposal 3.30.09.doc	3/31/2009	no Author	
572	Fw: FINAL memantine settlement proposal	3/31/2009	charles ryan	david solomon
573	FINAL Memantine Settlement Proposal 3.30.09.doc	3/31/2009	no Author	
574	AW: FINAL memantine settlement proposal	3/31/2009	patrick jochum	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann
575	FINAL Memantine Settlement Proposal 3 30 09.doc	3/31/2009	Jochum	
576	Final Memantine Settlement Proposal	3/31/2009	lucy zamot	eric agovino, michael sohn
577	FINAL Memantine Settlement Proposal 3.30.09.doc	3/31/2009	no Author	
578	Fw: FINAL memantine settlement proposal	3/31/2009	david solomon	ditra walsh
579	FINAL Memantine Settlement Proposal 3.30.09.doc	3/31/2009	no Author	
580	memantine settlment proposal	3/31/2009	eric agovino	lucy zamot
581	FINAL Memantine Settlement Proposal 3.30.09.doc	3/31/2009	no Author	
582	FW: FINAL memantine settlement proposal	4/1/2009	eric agovino	gerald flattmann

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No.	Document Title	Document Date	Author	All Recipients
583	FINAL Memantine Settlement Proposal 3.30.09.doc	4/1/2009	no Author	
584	RE: Form 10-K for Fiscal Year Ended March 31, 2009	4/3/2009	eric agovino	charles ryan
585	RE: Form 10-K for Fiscal Year Ended March 31, 2009	4/3/2009	eric agovino	charles ryan
586	10-K.doc	4/3/2009	no Author	
587	Namenda oral solution	4/14/2009	charles ryan	eric agovino, michael macalush, william gray
588	RE: plans to analyze.ppt	4/15/2009	david okimoto	donald macdonald, james finchen, lauren dwyer, paul hering, severina digiandomenico
589	Dr. Fred Schmitt	4/16/2009	eric agovino	f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, stephan guertler
590	AW: Dr. Fred Schmitt	4/17/2009	patrick jochum	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, stephan guertler
591	AW: Dr. Fred Schmitt	4/17/2009	patrick jochum	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, stephan guertler
592	Re: Dr. Fred Schmitt	4/17/2009	gerald flattmann	eric agovino, f. dominic cerrito, gregory morris, melanie rupert, patrick jochum, stephan guertler
593	Re: Dr. Fred Schmitt	4/17/2009	gregory morris	eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, stephan guertler
594	Patent Material	4/24/2009	f. dominic cerrito	charles ryan, daniel malone, eric stops, gerald flattmann, patrick jochum
595	Re: Namenda:	4/26/2009	charles ryan	eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
596	Re: Fw: MEMANTINE: Settlement	4/27/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, melanie rupert, patrick jochum
597	Fw: MEMANTINE: Settlement	4/27/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, melanie rupert, patrick jochum
598	Product line assumptions.xls	4/27/2009	Sylvia Striker	
599	Re: Fw: MEMANTINE: Settlement	4/27/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
600	Fw: Patent Material	4/27/2009	charles ryan	eric agovino, michael ciraolo

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No.	Document Title	Document Date	Author	All Recipients
601	Re: Fw: MEMANTINE: Settlement	4/27/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, patrick jochum
602	Fw: MEMANTINE: Settlement	4/27/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, melanie rupert, patrick jochum
603	Fw: Fw: MEMANTINE: Settlement	4/28/2009	charles ryan	lucy zamot
604	Merz's Responses to Defendants' Rule 30(b) Notice	4/28/2009	eric stops	alexander greenberg, charles ryan, eric agovino, evangeline shih, f. dominic cerrito, gbrier@jonesday.com, gerald flattmann, gregory morris, melanie rupert, patrick jochum
605	Forest's Responses to Defendants' Rule 30(b) Notices	4/28/2009	melanie rupert	alexander greenberg, charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, gregory morris, patrick jochum
606	Notes on patent review April 2009.doc	4/29/2009	no Author	
607	Namenda Requests for Admission	4/30/2009	alexander greenberg	#namenda pl counsel and clients, jack b.blumenfeld, maryellen noreika
608	Plaintiffs' RFAs to Apotex_(14306116_2).DOC	4/30/2009	IT	
609	Apotex memantine settlement proposal	5/4/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, patrick jochum
610	Notes on patent review April 2009.doc	5/5/2009	no Author	
611	Re: Apotex memantine settlement proposal	5/5/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, patrick jochum
612	Letter to Court	5/5/2009	melanie rupert	alexander greenberg, charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, gregory morris, jack b.blumenfeld, maryellen noreika, patrick jochum
613	Joint Letter to Court (includes Defendants' section)_(14554473_1).DOC	5/5/2009	Administrator	

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No.	Document Title	Document Date	Author	All Recipients
614	Namenda XR label for Thursday's meeting - for review	5/8/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, melissa moser, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
615	MEM XR PI Draft v30 8 May 2009.doc	5/8/2009	no Author	
616	RE: memantine settlement	5/8/2009	eric agovino	f. dominic cerrito
617	NAMENDA settlement status	5/8/2009	eric agovino	charles ryan
618	NAMENDA settlement status.doc	5/8/2009	no Author	
619	Sun Settlement Agreement.DOC	5/8/2009	f. dominic cerrito	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
620	NYI_4182087_1_Sun Settlement Agreement (2).DOC	5/8/2009	no Author	
621	RE: memantine settlement	5/8/2009	eric agovino	f. dominic cerrito
622	NAMENDA settlement status.doc	5/8/2009	no Author	
623	Fw: NAMENDA settlement status	5/11/2009	ditra walsh	david solomon
624	NAMENDA settlement status.doc	5/11/2009	no Author	
625	NAMENDA settlement status	5/11/2009	charles ryan	david solomon, herschel weinstein
626	NAMENDA settlement status.doc	5/11/2009	no Author	
627	FW: Orchid Term Sheet	5/12/2009	robert carnevale	rajiv janjikhel
628	Memo Re Term Sheet v.2 4.22.09.doc	5/12/2009	no Author	
629	Fw: Namenda -- Weiner Reference	5/12/2009	melanie rupert	eric agovino
630	Namenda Infringement Chart	5/12/2009	alexander greenberg	#namenda pl counsel and clients
631	Namenda Infringement Chart_(14201127_4).DOC	5/12/2009	IT	

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No.	Document Title	Document Date	Author	All Recipients
632	RE: Namenda XR label - for review	5/14/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, mariette boerstoele, melissa moser, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
633	WG: RE: patent litigation	5/14/2009	patrick jochum	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, sbgarland@smart-biggars.ca, stephan guertler
634	Fw: WG: RE: patent litigation	5/14/2009	evangelina shih	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, sbgarland@smart-biggars.ca, stephan guertler
635	RE: Namenda XR label - for review	5/14/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, mariette boerstoele, melissa moser, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
636	MEM XR PI Draft v31 14 May 2009.doc	5/14/2009	no Author	
637	Re: WG: RE: patent litigation	5/14/2009	eric stops	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, sbgarland@smart-biggars.ca, stephan guertler
638	Fw: WG: RE: patent litigation	5/14/2009	evangelina shih	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, sbgarland@smart-biggars.ca, stephan guertler
639	Re: WG: RE: patent litigation	5/14/2009	eric stops	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, sbgarland@smart-biggars.ca, stephan guertler
640	AW: Fw: WG: RE: patent litigation	5/14/2009	patrick jochum	charles ryan, eric agovino, eric stops, evangelina shih, f. dominic cerrito, gerald flattmann, melanie rupert, sbgarland@smart-biggars.ca, stephan guertler

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No.	Document Title	Document Date	Author	All Recipients
641	FW: Namenda XR label for Thursday's meeting - for review	5/14/2009	stephen graham	james perhach, marco taglietti
642	RE: Namenda XR label - for review	5/18/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, mariette boerstael, melissa moser, michael niebo, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
643	RE: Namenda XR label - for review	5/18/2009	marco taglietti	michael niebo
644	RE: Namenda XR label - for review	5/18/2009	marco taglietti	michael niebo
645	FW: Namenda XR label - for review	5/18/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, mariette boerstael, melissa moser, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
646	MEM XR PI Draft v31 14 May 2009.doc	5/18/2009	no Author	
647	RE: Namenda XR label - for review	5/19/2009	charles lindamood	antonia periclou, carrie furin, charles ryan, debra marchese, james demartino, june bray, kim li, marco taglietti, mariette boerstael, melissa moser, michael niebo, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, shashank mahashabde, stephen graham, terry martin
648	RE: Namenda XR label - Final Draft	5/21/2009	michael niebo	antonia periclou, carrie furin, charles lindamood, charles ryan, debra marchese, james demartino, james perhach, june bray, kim li, marco taglietti, mariette boerstael, michael niebo, nikhil nayak, paul grint, puneet sachdev, robert hofbauer, robert jackson, sandra arias, stephen graham, terry martin
649	MEM XR PI Final Draft 21 May 2009.doc	5/21/2009	no Author	

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No.	Document Title	Document Date	Author	All Recipients
650	FW: Orchid Term Sheet- Orchid's Latest Draft	5/29/2009	rachel mears	herschel weinstein, robert carnevale
651	Namenda litigation update 6-03-09.ppt	6/3/2009	Registered User	
652	Namenda status update 6-03-09.doc	6/3/2009	Forest Laboratories, Inc.	
653	Namenda litigation update 6-03-09.ppt	6/3/2009	Registered User	
654	Dr. Howard Fillit deposition summary	6/10/2009	eric agovino	charles ryan
655	Re: Fw: Memantine Settlement Agreement	6/10/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, patrick jochum
656	Re: Fw: Memantine Settlement Agreement	6/10/2009	gerald flattmann	charles ryan, eric agovino, f. dominic cerrito, patrick jochum
657	FW: Dr. Howard Fillit deposition summary	6/10/2009	eric agovino	kristen derhaag
658	FW: Dr. Howard Fillit deposition summary	6/10/2009	eric agovino	kristen derhaag
659	Fw: Memantine Settlement Agreement	6/10/2009	f. dominic cerrito	charles ryan, eric agovino, gerald flattmann, patrick jochum
660	FW: Dr. Howard Fillit deposition summary	6/11/2009	charles ryan	david solomon, eric agovino, herschel weinstein, howard solomon, lawrence olanoff
661	FW: Dr. Howard Fillit deposition summary	6/11/2009	herschel weinstein	joanne mentz
662	Memantine Settlement Agreement with Sun	6/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein
663	Emailing: FINAL Memantine Settlement Proposal.doc	6/16/2009	eric agovino	lucy zamot
664	FINAL Memantine Settlement Proposal.doc	6/16/2009	no Author	
665	FW: Memantine Settlement Agreement	6/16/2009	eric agovino	lucy zamot

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No.	Document Title	Document Date	Author	All Recipients
666	Memantine Settlement Agreement with Sun	6/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein
667	Memantine Settlement AgreementREDLINED.doc	6/16/2009	no Author	
668	Memantine Settlement Agreement with Sun	6/16/2009	eric agovino	charles ryan, david solomon, herschel weinstein
669	Memantine Settlement AgreementREDLINED.doc	6/16/2009	no Author	
670	RE: Memantine Settlement Agreement	6/17/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum
671	RE: Memantine Settlement Agreement	6/17/2009	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, patrick jochum
672	Memantine Settlement Agreement (Forest comments 6-17-09).DOC	6/17/2009	no Author	
673	FW: Memantine Settlement Agreement with Sun	6/17/2009	ditra walsh	david solomon
674	Memantine Settlement AgreementREDLINED.doc	6/17/2009	no Author	
675	RE: Deposition Transcript	6/17/2009	eric agovino	darcelle gleason, srinivas vangala
676	Fw: Forest Labs. v. Cobalt Labs.	6/21/2009	gregory morris	eric agovino
677	Re: Forest Labs. v. Cobalt Labs.	6/21/2009	eric agovino	gregory morris
678	Re: Forest Labs. v. Cobalt Labs.	6/21/2009	gregory morris	eric agovino
679	Re: Message	6/23/2009	david solomon	erica boyer, joanne francis, rachel mears
680	Re: Message	6/23/2009	rachel mears	david solomon
681	Re: Orchid Negotiation Notes	6/26/2009	rachel mears	david solomon, robert carnevale
682	FW: Language approval	6/29/2009	lauren dwyer	james finchen
683	settlement slides	7/1/2009	eric agovino	alexander greenberg, melanie rupert
684	Settlement update.ppt	7/1/2009	Registered User	
685	Fw: Namenda Presentation	7/1/2009	eric agovino	charles ryan
686	Namenda Client Presentation - July 6 2009_(14954039_2).PPT	7/1/2009	IT	

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No.	Document Title	Document Date	Author	All Recipients
687	Namenda Presentation	7/5/2009	alexander greenberg	eric agovino, f. dominic cerrito, gerald flattmann, john desmarais, melanie rupert, patrick jochum
688	Namenda -- Fillit / Weiner Confidentiality Designations	8/17/2009	gregory morris	eric agovino, evan diamond, gerald flattmann, melanie rupert
689	Namenda MR Conversion Strategy.ppt	9/14/2009	James Finchen	
690	Memantine Critical Doc Binder Index.doc	9/21/2009	Forest Laboratories, Inc.	
691	Namenda Expert Disclosure - Dr. Paul Fishman	10/28/2009	melanie rupert	eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, patrick jochum
692	New Paragraph IV letter for memantine from Torrent Pharmaceuticals	10/29/2009	charles ryan	david solomon, elaine hochberg, eric agovino, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, william meury
693	Torrent settlement agreement	11/19/2009	eric agovino	charles ryan, peter armenio
694	2009-11-19 DRAFT Torrent Settlement and License Agreement (TRACK CHANGES).doc	11/19/2009	no Author	
695	Draft Lupin Infringement Chart For Doody_(15930180_1) (3).DOC	11/19/2009	IT	
696	Confidential Boghigian Expert Report.pdf	11/23/2009	no Author	
697	Final Torrent settlement agreement	11/23/2009	eric agovino	charles ryan, patrick jochum
698	2009-11-23 DRAFT Lupin Settlement and License Agreement (TRACK CHANGES).pdf	11/23/2009	no Author	
699	2009-11-23 DRAFT Lupin Settlement and License Agreement (TRACK CHANGES).doc	11/23/2009	no Author	
700	Lupin agreement	11/23/2009	eric agovino	charles ryan
701	2009-11-23 DRAFT Lupin Settlement and License Agreement (TRACK CHANGES).pdf	11/23/2009	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
702	2009-11-23 DRAFT Lupin Settlement and License Agreement (CLEAN).doc	11/23/2009	no Author	
703	2009-11-23 DRAFT Lupin Settlement and License Agreement (CLEAN).doc	11/23/2009	no Author	
704	Lupin settlement agreement	11/23/2009	eric agovino	charles ryan, peter armenio
705	2009-11-23 DRAFT Lupin Settlement and License Agreement (TRACK CHANGES).doc	11/23/2009	no Author	
706	Fw: AW: Final Torrent settlement agreement	11/24/2009	eric agovino	emily wolkoff
707	AW: Final Torrent settlement agreement	11/24/2009	patrick jochum	charles ryan, eric agovino
708	Forest Labs - Orchid - Ceftaroline Term Sheet- 30Nov09 (marked against Nov 23).doc	11/30/2009	dsolomon	
709	2009-11-30 DRAFT Merz-Forest-Torrent Settlement and License Agreement.DOC	11/30/2009	no Author	
710	2009-11-30 DRAFT Merz-Forest-Torrent Settlement and License Agreement (TRACK CHANGES).pdf	11/30/2009	no Author	
711	Namenda Utilization	12/1/2009	severina kraner	james finchen, jason wong
712	FW: Orchid Term Sheet	12/1/2009	david solomon	charles ryan, herschel weinstein, rachel mears
713	Goldsteinlet.DOC	12/3/2009	IT	
714	FW: Namenda data request (IMS)	12/4/2009	eric agovino	gregory morris
715	RE: Namenda data request (IMS)	12/4/2009	kevin haney	eric agovino
716	Dec 4 2009.ppt	12/4/2009	no Author	
717	FW: Namenda data request (IMS)	12/4/2009	eric agovino	kevin haney
718	EXECUTION COPY Merz-Forest-Torrent Settlement and License Agreement.DOC	12/7/2009	Forest Laboratories, Inc.	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
719	Namenda Dial-in Number for Teleconference	12/9/2009	andres sawicki	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, roberto malinow
720	Lupin Settlement Agreement	12/10/2009	charles ryan	eric agovino, patrick jochum, peter armenio
721	Lupin Settlement and License Agreement (final).doc	12/10/2009	no Author	
722	20091209 DRAFT Lupin Settlement and License Agreement track changes.doc	12/10/2009	no Author	
723	2009-12-11 DRAFT Orchid Settlement and License Agreement (TRACK CHANGES).doc	12/11/2009	no Author	
724	EXECUTION COPY Merz-Forest-Lupin Settlement and License Agreement (TRACK CHANGES).doc	12/11/2009	no Author	
725	2009-12-11 DRAFT Lupin Settlement and License Agreement (TRACK CHANGES).doc	12/11/2009	no Author	
726	2009-12-11 DRAFT Orchid Settlement and License Agreement (TRACK CHANGES).pdf	12/11/2009	no Author	
727	2009-12-11 DRAFT Orchid Settlement and License Agreement (CLEAN).doc	12/11/2009	no Author	
728	EXECUTION COPY Merz-Forest-Lupin Settlement and License Agreement.doc	12/11/2009	no Author	
729	Namenda - Stipulation to Stay for Lupin	12/14/2009	melanie rupert	eric agovino, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika
730	Draft Namenda Lipinski Report	12/14/2009	andres sawicki	eric agovino, melanie rupert
731	DRAFT Lipinski Report_(16025226_4).DOC	12/14/2009	IT	
732	Forest re Namenda: Markup of draft Orchid agreements	12/14/2009	benjamin lasky	anne toker, eric agovino, peter armenio

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
733	BAL_AST Markup - Orchid Draft Settlement Agreement 12-14-2009.doc_(16057399_1).DOC	12/14/2009	IT	
734	Namenda XR slides	12/14/2009	eric agovino	anagha matapurkar
735	Fw: Memantine Settlement Agreement	12/14/2009	eric agovino	melanie rupert
736	DRL Stipulation to Dismiss	12/14/2009	melanie rupert	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann
737	Re: Namenda - Stipulation to Stay for Lupin	12/14/2009	eric agovino	f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert
738	Lifecycle Update Nov30.ppt	12/16/2009	psachdev	
739	Namenda -- Draft Murry Report	12/17/2009	gregory morris	eric agovino
740	DRAFT - Commercial Success Graphs & Tables.doc_(16050141_9).DOC	12/17/2009	jberrebi	
741	12-15 J. Murry Draft Commercial Success Report_(16067854_1).DOC	12/17/2009	Ellen Lin	
742	Business Review v24.ppt	12/22/2009	Christine Huelster	
743	RE: Dow Jones: "Lupin settles litigation with Forest Lab's"	12/22/2009	eric agovino	charles ryan, frank murdolo, jon garbo
744	RE: 10-Q referencing memantine settlement agreement	12/22/2009	nandranie singh	gladys goldstein, ken viola, michael piacquadro, sheik sataur, vicki keavney
745	RE: Dow Jones: "Lupin settles litigation with Forest Lab's"	12/22/2009	eric agovino	charles ryan, frank murdolo, jon garbo
746	RE: Dow Jones: "Lupin settles litigation with Forest Lab's"	12/22/2009	jon garbo	charles ryan, eric agovino, frank murdolo
747	Re: IP Law360: Litigation, Policy & People News	12/23/2009	david solomon	charles ryan
748	FW: IP Law360: Litigation, Policy & People News	12/23/2009	david solomon	charles ryan
749	FW: Timeline slide	12/23/2009	nikhil nayak	julie snyder
750	Namenda XR launch scenarios.doc	12/23/2009	no Author	
751	Namenda XR launch scenarios.doc	12/23/2009	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
752	Re: IP Law360: Litigation, Policy & People News	12/23/2009	charles ryan	david solomon
753	RE: 10-Q referencing memantine settlement agreement	12/24/2009	benjamin gober	vicki keavney
754	FW: 10-Q referencing memantine settlement agreement	12/24/2009	vicki keavney	linda wu
755	RE: 10-Q referencing memantine settlement agreement	12/28/2009	michael piacquadio	ken viola
756	Business Review v26.ppt	1/4/2010	Christine Huelster	
757	Business Review v26.ppt	1/4/2010	Christine Huelster	
758	Business Review v27.ppt	1/4/2010	Christine Huelster	
759	IP Department 2009 Review.doc	1/4/2010	Forest Laboratories, Inc.	
760	IP Department 2009 Review.doc	1/4/2010	Forest Laboratories, Inc.	
761	2009-09-02 Draft Wockhardt Settlement Agreement (TRACK CHANGES).doc	1/6/2010	no Author	
762	2009-01-08 NAMENDA XR meeting.ppt	1/6/2010	Registered User	
763	no Title	1/7/2010	eric agovino	charles ryan, nikhil nayak, william meury
764	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
765	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
766	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
767	2009-01-08 NAMENDA XR meeting.ppt	1/7/2010	Registered User	
768	2010.01.19 Letter to Panel re withdrawing motion_(16192793_1).DOC	1/19/2010	no Author	
769	Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/19/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum

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No.	Document Title	Document Date	Author	All Recipients
770	2010.01.19 Letter to Panel re withdrawing motion_(16192793_1).DOC	1/19/2010	ASawicki	
771	Fishman deposition summary	1/20/2010	eric agovino	charles ryan
772	2010.01.19 Letter to Panel re withdrawing motion_(16192793_1).DOC	1/20/2010	no Author	
773	Dept memo	1/26/2010	Forest Laboratories, Inc.	
774	Dept Meeting Agenda	1/27/2010	jennifer fehrman	eric agovino
775	Fw: Forest v. Orchid--Draft Joint Discovery Plan	1/28/2010	charles ryan	david solomon, rachel mears
776	Forest v. Orchid--Draft Joint Discovery Plan	1/28/2010	evan diamond	andres sawicki, charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
777	Orchid	1/28/2010	rachel mears	david solomon, herschel weinstein
778	december 2009 10q disclosure committee draft.doc	1/28/2010	rita weinberger	elaine hochberg, frank perier, herschel weinstein, lawrence olanoff, marco taglietti
779	Namenda Draft PTO Body and Uncontested Facts	1/28/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
780	DRAFT Stipulation of Facts_(16205031_5).DOC	1/28/2010	IT	
781	DRAFT Joint Pretrial Order_(16112345_7).DOC	1/28/2010	Andres Sawicki	
782	december 2009 10q disclosure committee draft.doc	1/29/2010	Forest Labs	
783	Namenda--Pretrial Order Docs for Feb. 3 exchange	2/2/2010	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
784	Namenda Trial Exhibit List for PTO_(16144450_3).XLS	2/2/2010	coconnel	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
785	DRAFT Statement of Contested Facts and Law_(16207246_3).DOC	2/2/2010	IT	
786	Namenda--Pretrial Order Docs for Feb. 3 exchange	2/2/2010	evan diamond	charles ryan, eric agovino, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
787	Namenda Trial Exhibit List for PTO_(16144450_3).XLS	2/2/2010	no Author	
788	DRAFT Statement of Contested Facts and Law_(16207246_3).DOC	2/2/2010	no Author	
789	Namenda Litigation: Witness Lists	2/3/2010	shane cortesi	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
790	Cortesi Sections of Pretrial Order_(16209203_5).DOC	2/3/2010	IT	
791	Forest Laboratories, Inc. v. Ivax Pharmaceuticals, Inc.doc	2/3/2010	9.12.9.1.V2	
792	Fw: NCE Agreement	2/3/2010	charles ryan, herschel weinstein	david solomon, rachel mears
793	Namenda--Statement of Uncontested Facts	2/9/2010	evan diamond	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
794	Drafted Minutes: Memantine Project Team Meeting (held 2/1)	2/10/2010	sandra arias	allyson gage, christine huelster, daniel jia, enamul kabir, kim li, mark feldman, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, stephen graham, terry martin, todd riccobene
795	MemMinutes_01Feb2010.doc	2/10/2010	Sandra Arias	
796	DRAFT Proposed Findings of Fact_(16209016_11).DOC	2/10/2010	ediamond	
797	Namenda--Plaintiffs' Findings of Fact and Conclusions of Law	2/10/2010	evan diamond	andres sawicki, charles ryan, david erie, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum, shane cortesi

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No.	Document Title	Document Date	Author	All Recipients
798	Revised Pretrial Order Body	2/10/2010	andres sawicki	charles ryan, eric agovino, eric stops, evan diamond, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, melanie rupert, patrick jochum, shane cortesi
799	2010.02.04 Mylan's Revisions to Pretrial Order Body (Clean Copy).doc_(16278405_1).DOC	2/10/2010	lw8	
800	2010.02.10 Plaintiffs' Revisions to Pretrial Order Body (Clean Copy).doc_(16278390_2).DOC	2/10/2010	lw8	
801	2010.02.10 Plaintiffs' Revisions to Pretrial Order Body (Blackline).doc_(16278419_1).PDF	2/10/2010	no Author	
802	2010.02.04 Mylan's Revisions to Pretrial Order Body (Blackline)_(16278417_1).PDF	2/10/2010	no Author	
803	DRAFT Proposed Findings of Fact_(16209016_11).DOC	2/10/2010	ediamond	
804	FW: NCE Agreement	2/11/2010	david solomon	herschel weinstein
805	ABD RD Draft Presentation 02.11.10.ppt	2/11/2010	Christine Huelster	
806	Fw: Meeting on Namenda ODT	2/11/2010	joanne francis	ted francis
807	ABD RD Draft Presentation 02.11.10.ppt	2/11/2010	Christine Huelster	
808	ABD RD Draft Presentation 02 11 10.ppt	2/12/2010	Christine Huelster	
809	2009-12-11 DRAFT Orchid Settlement and License Agreement (CLEAN 2).doc	2/12/2010	Forest Laboratories, Inc.	
810	2009-12-11 DRAFT Orchid Settlement and License Agreement (TRACK CHANGES2).doc	2/12/2010	Forest Laboratories, Inc.	
811	ABD RD Draft Presentation 02 11 10.ppt	2/12/2010	Christine Huelster	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
812	Namenda--Contested Issues of Fact/Law (Joint and Plaintiffs' versions)	2/17/2010	evan diamond	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
813	DRAFT Joint Statement of Contested Issues_(16295810_2).DOC	2/17/2010	IT	
814	Draft Statement of Contested Facts and Law (v7--_v10)_(16300993_1).PDF	2/17/2010	no Author	
815	DRAFT Statement of Contested Facts and Law_(16207246_10).DOC	2/17/2010	IT	
816	Fw: Prescribing information	2/18/2010	eric agovino	melanie rupert
817	Namenda--Findings of Fact/Conclusions of Law	2/22/2010	evan diamond	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum
818	DRAFT Proposed Findings of Fact_(16209016_13).DOC	2/22/2010	ediamond	
819	DRAFT Proposed Findings of Fact (blackline v12- to v13)_(16318683_1).PDF	2/22/2010	no Author	
820	Draft Complaint	2/22/2010	eric agovino	charles ryan, f. dominic cerrito, patrick jochum
821	DRAFT Proposed Findings of Fact (blackline v12- to v13)_(16318683_1).PDF	2/22/2010	no Author	
822	DRAFT Proposed Findings of Fact_(16209016_13).DOC	2/22/2010	ediamond	
823	Updated Trial Responsibilities	2/23/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
824	Cortesi Sections of Pretrial Order_(16209203_6).DOC	2/23/2010	IT	
825	Trial Witness Responsibilities	2/23/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann, john desmarais
826	Mylan Exh 8.pdf	2/24/2010	lw8	
827	Mylan Exh 4.pdf	2/24/2010	lw8	
828	Mylan objs Exh 9 (clean).pdf	2/24/2010	lw8	

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No.	Document Title	Document Date	Author	All Recipients
829	Mylan objs Exh 9.pdf	2/24/2010	lw8	
830	It statement of agreed upon issues of law_(PALIB1_3897201_1).DOC	2/24/2010	no Author	
831	WSGR revisions to PTO body_(PALIB1_3898836_1).DOC	2/24/2010	lw8	
832	Namenda: Revised Plaintiffs Witness List	2/25/2010	shane cortesi	charles ryan, eric agovino, eric stops, evangeline shih, f. dominic cerrito, gerald flattmann, jack blumenfeld, melanie rupert, patrick jochum
833	Blackline of Plaintiffs Expert List_(16340059_1).PDF	2/25/2010	no Author	
834	Cortesi Sections of Pretrial Order_(16209203_7).DOC	2/25/2010	IT	
835	Namenda--Findings of Fact and Conclusions of Law	2/25/2010	evan diamond	andres sawicki, charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, max morgan, melanie rupert, patrick jochum, shane cortesi
836	DRAFT Proposed Findings of Fact (blackline v13 to 15)_(16335089_1).PDF	2/25/2010	no Author	
837	DRAFT Proposed Findings of Fact_(16209016_15).DOC	2/25/2010	ediamond	
838	Forest Laboratories, Inc. v. Ivax Pharmaceuticals, Inc.doc	3/1/2010	10.2.1.2.V2	
839	Exhibit 11.pdf	3/1/2010	ediamond	
840	Exhibit 11.pdf	3/1/2010	ediamond	
841	Final Namenda FY11 Strat Ops 02.16.10.ppt	3/2/2010	Christine Huelster	
842	Orchid Term Sheet	3/2/2010	rachel mears	david solomon, herschel weinstein
843	Ceftaroline Term Sheet- Forest 2Mar10 (redline).doc	3/2/2010	no Author	
844	Forest Response to Mylan's Motion to Exclude Malinow (Clean Copy)_(16372760_2).DOC	3/4/2010	IT	

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No.	Document Title	Document Date	Author	All Recipients
845	Memantine tentative approvals	3/4/2010	eric agovino	charles ryan
846	Memantine tentative approvals	3/4/2010	eric agovino	charles ryan
847	2010-03-04 DRAFT Orchid Settlement and License Agreement (TRACK CHANGES).DOC	3/4/2010	no Author	
848	Orchid settlement agreement	3/9/2010	eric agovino	charles ryan, eric agovino, patrick jochum
849	EXECUTION COPY Orchid Settlement and License Agreement.DOC	3/9/2010	no Author	
850	EXECUTION COPY Orchid Settlement and License Agreement.DOC	3/9/2010	no Author	
851	Ceftaroline Term Sheet- Forest 10Mar10 (FINAL).doc	3/12/2010	Robert Carnevale	
852	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
853	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, peter armenio
854	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
855	2010-03-16 Draft Mylan Settlement and License Agreement (TRACK CHANGES).doc	3/17/2010	no Author	
856	Draft Mylan settlement agreement	3/17/2010	eric agovino	eric agovino
857	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
858	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, david solomon
859	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
860	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, herschel weinstein, michael sohn
861	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
862	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, peter armenio
863	Draft Mylan settlement agreement	3/17/2010	eric agovino	charles ryan, john desmarais, melanie rupert

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No.	Document Title	Document Date	Author	All Recipients
864	2010-03-16 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/17/2010	no Author	
865	2010-03-18 Draft Mylan Settlement and License Agreement (TRACK CHANGES).pdf	3/18/2010	no Author	
866	2010-03-18 Draft Mylan Settlement and License Agreement (TRACK CHANGES).doc	3/18/2010	no Author	
867	2010-03-18 Draft Mylan Settlement and License Agreement (CLEAN).doc	3/18/2010	no Author	
868	Stipulation to Stay NJ Proceedings Pending Dismissal_(16506213_1).DOC	3/22/2010	IT	
869	Drafted Meeting Minutes: Memantine Project Team Meeting (held March 8th)	3/22/2010	sandra arias	allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, kim li, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, salvatore iacono, sandra arias, stephen graham, terry martin, todd riccobene
870	MemMinutes_08Mar2010.doc	3/22/2010	Sandra Arias	
871	License Agreement - Memantine.pdf	3/23/2010	no Author	
872	Settlement Agreement - Memantine - Orchid Signed Pages.pdf	3/23/2010	no Author	
873	Settlement Agreement - Memantine.pdf	3/23/2010	no Author	
874	Forest Labs - Orchid - Term Sheet - Signed.pdf	3/23/2010	no Author	
875	License Agreement - Memantine - Orchid Signed Pages.pdf	3/23/2010	no Author	
876	Stipulation to Stay and Adjourn Scheduled Dates_(16506213_1).DOC	3/23/2010	IT	
877	Revised Stipulation to Stay	3/24/2010	melanie rupert	charles lizza, eric agovino
878	Stipulation to Stay and Adjourn Scheduled Dates_(16506213_1).DOC	3/24/2010	IT	

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879	2010-03-25 DRAFT Mylan Settlement and License Agreement (TRACK CHANGES).doc	3/25/2010	no Author	
880	Memanitne_Projec_Minutes_March2010.pdf	3/25/2010	sarias	
881	Draft Mylan Settlement and License Agreement	3/25/2010	eric agovino	charles ryan, peter armenio
882	2010-03-25 Mylan Settlement and License Agreement (TRACK CHANGES).doc	3/25/2010	no Author	
883	Final Minutes: Memantine Project Team Meeting (March)	3/25/2010	sandra arias	#corporate project team meeting minutes cc list, allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, kim li, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, robert carnevale, sandra arias, stephen graham, terry martin
884	Memanitne_Projec_Minutes_March2010.pdf	3/25/2010	sarias	
885	Revised draft press release	3/25/2010	eric agovino	charles ryan, frank murdolo
886	DRAFT Press Release announcing settlement agreements.doc	3/25/2010	no Author	
887	DRAFT email to Mylan (please let me know if you have any comments - thanks)	3/29/2010	eric agovino	peter armenio
888	Stipulation And Order - Version 3.doc	3/29/2010	no Author	
889	Stipulation And Order - Version 2.doc	3/29/2010	no Author	
890	Stipulation And Order - Version 1.doc	3/29/2010	no Author	
891	Item 3 - Legal Proceedings 3 31 10 (2).doc	3/31/2010	no Author	
892	Disclosures	4/1/2010	lauren dwyer	james finchen
893	FW: Sun Pharma announces USFDA tentative approval for generic Namenda R tablets	4/10/2010	lawrence olanoff	june bray, marco taglietti

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No.	Document Title	Document Date	Author	All Recipients
894	FW: Sun Pharma announces USFDA tentative approval for generic Namenda R tablets	4/10/2010	frank murdolo	charles ryan, eric agovino, frank perier, herschel weinstein, lawrence olanoff
895	FW: Group Meeting Agenda attached	4/13/2010	jennifer fehrman	anagha matapurkar, charles ryan, david mott, eric agovino, hemant khanna, michael ciraolo
896	April 13, 2010.ppt	4/13/2010	Forest Laboratories, Inc.	
897	RE: Orchid Stipulation of Dismissal - Due Today	4/22/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
898	RE: Orchid Stipulation of Dismissal - Due Today	4/22/2010	melanie rupert	eric agovino
899	Re: Orchid Stipulation of Dismissal - Due Today	4/23/2010	charles ryan	eric agovino, gerald flattmann, melanie rupert
900	Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	frank murdolo	charles ryan, eric agovino
901	Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	frank murdolo	charles ryan, eric agovino
902	RE: Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	eric agovino	charles ryan, frank murdolo
903	FW: Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
904	RE: Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	frank murdolo	charles ryan, eric agovino
905	FW: Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
906	RE: Sun Pharmaceuticals' subsidiary receives FDA approval for its ANDA to market a generic version of Namenda 5mg and 10mg tablets	5/6/2010	eric agovino	charles ryan, frank murdolo
907	Re: Namenda	5/7/2010	james finchen	carter dutch, ilias kifnidis, james finchen
908	RE: Sun- memantine	5/7/2010	lawrence olanoff	charles ryan
909	Sun- memantine	5/7/2010	lawrence olanoff	charles ryan
910	RE: Sun Pharmaceuticals	5/10/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
911	Re: Sun Pharmaceuticals	5/10/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
912	Sun Pharmaceuticals	5/10/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
913	RE: Sun Pharmaceuticals	5/10/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann
914	Sun Pharmaceuticals	5/10/2010	eric agovino	charles ryan, gerald flattmann, melanie rupert
915	Re: Sun Pharmaceuticals	5/11/2010	charles ryan	eric agovino, gerald flattmann, melanie rupert
916	Draft Letter to OGD	5/11/2010	melanie rupert	andres sawicki, charles ryan, eric agovino, gerald flattmann
917	RE: Draft Letter to OGD	5/12/2010	eric agovino	andres sawicki, charles ryan, gerald flattmann, melanie rupert
918	FW: Signed Orchid Term Sheet	5/13/2010	robert carnevale	herschel weinstein, rachel mears, rajiv janjikhel
919	Orchid Term Sheet - Signed 03 2010.PDF	5/13/2010	no Author	
920	Revised letter to OGD re generic memantine	5/13/2010	eric agovino	charles ryan, eric agovino, june bray, kurt karst
921	DRAFT letter to OGD re premature approvals.DOC	5/13/2010	ASawicki	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
922	Revised letter to OGD re generic memantine	5/13/2010	eric agovino	charles ryan, june bray, kurt karst
923	DRAFT letter to OGD re premature approvals.DOC	5/13/2010	ASawicki	
924	FW: Revised letter to OGD re generic memantine	5/14/2010	nadia success	june bray
925	DRAFT Letter to OGD re premature approvals.doc	5/14/2010	no Author	
926	FW: Revised letter to OGD re generic memantine	5/14/2010	june bray	nadia success
927	DRAFT letter to OGD re premature approvals.DOC	5/14/2010	ASawicki	
928	FW: 2010 Form 10-K	5/17/2010	marco taglietti	elaine hochberg, lawrence olanoff, rita weinberger
929	RE: Revised letter to OGD re generic memantine	5/17/2010	june bray	nadia success
930	DRAFT Letter to OGD re premature approvals.doc	5/17/2010	Forest Laboratories, Inc.	
931	DRAFT Letter to OGD re premature approvals.doc	5/17/2010	Forest Laboratories, Inc.	
932	Case Assessment Form (Namenda).doc	5/20/2010	no Author	
933	FW: IP Law360: Litigation, Policy & People News	5/24/2010	david solomon	charles ryan, herschel weinstein, rachel mears
934	2010-05-26 NAMENDA XR meeting.ppt	5/25/2010	Registered User	
935	FW: Namenda XR slides	5/25/2010	nikhil nayak	julie snyder
936	2010-05-26 NAMENDA XR meeting.ppt	5/25/2010	Registered User	
937	2010-05-26 NAMENDA XR meeting.ppt	5/25/2010	Registered User	
938	FW: Revised NAMENDA XR slides	6/1/2010	nikhil nayak	julie snyder
939	2010-06-11 NAMENDA XR meeting.ppt	6/1/2010	Registered User	
940	2010-06-11 NAMENDA XR meeting.ppt	6/1/2010	Registered User	
941	Declaration Memantine MR	6/1/2010	michael ciraolo	charles ryan, marco taglietti

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
942	2010-06-02 DRAFT Settlement and License Agreement.doc	6/2/2010	no Author	
943	2010-06-11 NAMENDA XR meetingv2.ppt	6/4/2010	Registered User	
944	RE: Revised NAMENDA XR slides	6/4/2010	nikhil nayak	charles ryan, eric agovino, william meury
945	2010-06-11 NAMENDA XR meetingv2.ppt	6/4/2010	Registered User	
946	Fw: Revised NAMENDA XR slides	6/4/2010	nikhil nayak	julie snyder
947	Namenda XR Launch Scenarios 06-03-10.xls	6/4/2010	no Author	
948	2010-06-11 NAMENDA XR meetingv2.ppt	6/4/2010	Registered User	
949	FW: Revised NAMENDA XR slides	6/7/2010	nikhil nayak	julie snyder
950	2010-06-11 NAMENDA XR meeting.ppt	6/7/2010	Registered User	
951	FW: Drafted Agenda: Memantine Project Team Meeting (scheduled June 7th)	6/7/2010	sandra arias	allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, joanne francis, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, robert imani, sandra arias, stephen graham, terry martin
952	2010-06-11 NAMENDA XR meeting.ppt	6/7/2010	Registered User	
953	RE: Revised NAMENDA XR slides	6/7/2010	eric agovino	nikhil nayak
954	2010-06-11 NAMENDA XR meeting.ppt	6/7/2010	Registered User	
955	RE: Prospective Preservation Obligations for Forest Laboratories	6/8/2010	eric agovino	melanie rupert
956	RE: Prospective Preservation Obligations for Forest Laboratories	6/8/2010	eric agovino	melanie rupert
957	Fw: Prospective Preservation Obligations for Forest Laboratories	6/8/2010	melanie rupert	eric agovino
958	Revised 2010-06-11 NAMENDA XR meeting.ppt	6/9/2010	Registered User	
959	FW: Revised Slides and Forecast Scenarios	6/9/2010	nikhil nayak	julie snyder

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
960	Namenda XR Launch Scenarios 06-09-10v2.xls	6/9/2010	no Author	
961	Revised 2010-06-11 NAMENDA XR meeting.ppt	6/9/2010	Registered User	
962	FW: Revised Slides and Forecast Scenarios	6/9/2010	nikhil nayak	julie snyder
963	Revised 2010-06-11 NAMENDA XR meeting.ppt	6/9/2010	Registered User	
964	Revised Slides and Forecast Scenarios	6/9/2010	nikhil nayak	charles ryan, eric agovino, william meury
965	Revised 2010-06-11 NAMENDA XR meeting.ppt	6/9/2010	Registered User	
966	Revised 2010-06-11 NAMENDA XR meeting (2).ppt	6/10/2010	Registered User	
967	Revised 2010-06-11 NAMENDA XR meeting (2).ppt	6/10/2010	Registered User	
968	Revised 2010-06-11 NAMENDA XR meeting v.3.ppt	6/11/2010	Registered User	
969	FW: Revised slides/forecast for Namenda XR meeting	6/11/2010	eric agovino	emily wolkoff
970	Final Namenda XR Launch Options 2010-06-11.ppt	6/11/2010	Registered User	
971	Revised 2010-06-11 NAMENDA XR meeting v.3.ppt	6/11/2010	Registered User	
972	RE: Revised slides/forecast for Namenda XR meeting	6/11/2010	nikhil nayak	charles ryan, eric agovino, william meury
973	Final Namenda XR Launch Options 2010-06-11.ppt	6/11/2010	Registered User	
974	RE: Namenda XR Press Release	6/17/2010	lisa bogutz	victoria farricker
975	RE: Namenda XR Draft Release	6/18/2010	julie snyder	eric agovino, frank murdolo, nikhil nayak
976	RE: Namenda XR Draft Release	6/18/2010	eric agovino	charles ryan, frank murdolo, julie snyder
977	RE: Namenda XR Press Release	6/18/2010	lisa bogutz	victoria farricker
978	RE: Namenda XR Draft Release	6/18/2010	frank murdolo	eric agovino, julie snyder, nikhil nayak

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
979	RE: Namenda XR Draft Release	6/18/2010	julie snyder	eric agovino, frank murdolo, nikhil nayak
980	Namenda XR Press Release	6/18/2010	frank murdolo	eric agovino, julie snyder, june bray, nancy konnerth, nikhil nayak
981	Re: Namenda XR Press Release	6/18/2010	victoria farricker	lisa bogutz
982	RE: Namenda XR Draft Release	6/18/2010	frank murdolo	eric agovino, julie snyder, nikhil nayak
983	RE: Namenda XR Draft Release	6/18/2010	frank murdolo	charles ryan, eric agovino, julie snyder
984	Re: Namenda XR Press Release	6/18/2010	victoria farricker	lisa bogutz
985	Re: Namenda XR Press Release	6/18/2010	victoria farricker	lisa bogutz
986	FW: Namenda XR PI	6/18/2010	june bray	charles ryan, eric agovino
987	RE: Namenda XR Draft Release	6/18/2010	frank murdolo	charles ryan, eric agovino, julie snyder
988	RE: Namenda XR Draft Release	6/18/2010	eric agovino	charles ryan, frank murdolo, julie snyder
989	RE: Namenda XR Press Release	6/18/2010	lisa bogutz	victoria farricker
990	Drafted: Memantine Project Team minutes for June	6/21/2010	sandra arias	allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, james demartino, james perhach, julie snyder, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, robert imani, sandra arias, stephen graham, terry martin
991	MemMinutes_07June2010.doc	6/21/2010	Sandra Arias	
992	RE: Orchid Long Form Agreement	6/21/2010	kira schwartz	robert carnevale
993	FW: Orchid Long Form Agreement	6/23/2010	robert carnevale	rachel mears
994	Merz Deck.ppt	6/25/2010	no Author	
995	Merz Deck (2).ppt	6/28/2010	no Author	
996	Drafted Agenda: Memantine Project Team Meeting (scheduled 7/12)	7/9/2010	sandra arias	allyson gage, antonia periclou, brian carlson, christine huelster, daniel jia, enamul kabir, james perhach, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, robert imani, sandra arias, stephen graham, terry martin
997	FW: Forest Laboratories, Inc. et al. v. Mylan Pharmaceuticals Inc.	7/9/2010	eric agovino	charles ryan, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
998	EXECUTION COPY Merz-Forest-Mylan Settlement and License Agreement.doc	7/9/2010	no Author	
999	RE: DRAFT Namenda press release	7/15/2010	lawrence olanoff	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein
1000	DRAFT Namenda press release	7/15/2010	eric agovino	charles ryan, patrick jochum
1001	DRAFT Namenda press release	7/15/2010	eric agovino	charles ryan
1002	RE: DRAFT Namenda press release	7/15/2010	lawrence olanoff	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein
1003	RE: DRAFT Namenda press release	7/15/2010	lawrence olanoff	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein
1004	RE: DRAFT Namenda press release	7/15/2010	charles ryan	eric agovino, herschel weinstein
1005	FW: DRAFT Namenda press release	7/15/2010	charles ryan	eric agovino, frank murdolo
1006	RE: DRAFT Namenda press release	7/15/2010	charles ryan	david solomon, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
1007	RE: DRAFT Namenda press release	7/15/2010	lawrence olanoff	charles ryan, david solomon, frank murdolo, frank perier, herschel weinstein
1008	Re: DRAFT Namenda press release	7/15/2010	frank murdolo	charles ryan, eric agovino
1009	RE: DRAFT Namenda press release	7/15/2010	charles ryan	david solomon, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
1010	DRAFT Namenda press release	7/15/2010	charles ryan	david solomon, frank murdolo, frank perier, herschel weinstein, lawrence olanoff
1011	RE: DRAFT Namenda press release	7/15/2010	herschel weinstein	charles ryan
1012	RE: DRAFT Namenda press release	7/17/2010	charles ryan	herschel weinstein
1013	Draft Mylan press release re: NAMENDA	7/19/2010	eric agovino	charles ryan, david solomon, frank murdolo, herschel weinstein
1014	07.xx.10 Mylan Announces Settlement Agreement for Namenda v3.doc	7/19/2010	MYLAN	
1015	Draft Mylan press release re: NAMENDA	7/19/2010	eric agovino	charles ryan, david solomon, frank murdolo, herschel weinstein
1016	07.xx.10 Mylan Announces Settlement Agreement for Namenda v3.doc	7/19/2010	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1017	RE: DRAFT Namenda press release	7/19/2010	eric agovino	charles ryan, patrick jochum
1018	RE: DRAFT Namenda press release	7/19/2010	eric agovino	charles ryan, patrick jochum
1019	07.xx.10 Mylan Announces Settlement Agreement for Namenda v3.doc	7/19/2010	no Author	
1020	Fw: AW: DRAFT Namenda press release	7/19/2010	eric agovino	charles ryan, frank murdolo
1021	Re: Namenda - Joint Stipulation to Stay	7/21/2010	eric agovino	melanie rupert
1022	RE: Namenda - Joint Stipulation to Stay	7/21/2010	eric agovino	gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert
1023	Namenda - Joint Stipulation to Stay	7/21/2010	melanie rupert	eric agovino, gerald flattmann, jack b.blumenfeld, maryellen noreika
1024	RE: Namenda - Joint Stipulation to Stay	7/21/2010	eric agovino	gerald flattmann, jack b.blumenfeld, maryellen noreika, melanie rupert
1025	RE: Namenda - Joint Stipulation to Stay	7/21/2010	melanie rupert	eric agovino
1026	RE: Namenda - Joint Stipulation to Stay	7/21/2010	maryellen noreika	eric agovino, gerald flattmann, jack blumenfeld, melanie rupert
1027	EXECUTED Forest-Merz-Mylan Settlement and License Agreement.pdf	7/21/2010	no Author	
1028	RE: Namenda - Joint Stipulation to Stay	7/21/2010	jack blumenfeld	eric agovino, gerald flattmann, maryellen noreika, melanie rupert
1029	Re: Namenda - Joint Stipulation to Stay	7/21/2010	eric agovino	melanie rupert
1030	RE: Namenda - Joint Stipulation to Stay	7/21/2010	eric agovino	melanie rupert
1031	no Title	7/22/2010	charles ryan	david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, marco taglietti, william meury

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1032	EXECUTED Forest-Merz-Mylan Settlement and License Agreement.pdf	7/22/2010	no Author	
1033	FW: Namenda press release	7/22/2010	eric agovino	charles ryan, frank murdolo
1034	FW: Namenda XR Press Release	7/22/2010	julie snyder	blair kress
1035	no Title	7/22/2010	marco taglietti	charles ryan, david solomon, elaine hochberg, frank murdolo, frank perier, herschel weinstein, howard solomon, lawrence olanoff, william meury
1036	EXECUTED Forest-Merz-Mylan Settlement and License Agreement.pdf	7/22/2010	no Author	
1037	Re: Namenda press release	7/22/2010	frank murdolo	charles ryan, eric agovino
1038	Re: NAMENDA Patent Litigation Settled	7/22/2010	rachel mears	david solomon
1039	RE: NAMENDA Patent Litigation Settled	7/22/2010	charles ryan	marco taglietti
1040	FW: NAMENDA Patent Litigation Settled	7/22/2010	david solomon	rachel mears
1041	Letter from DRL's counsel re Mylan agreement	7/27/2010	eric agovino	charles ryan
1042	Letter from DRL's counsel re Mylan agreement	7/27/2010	eric agovino	charles ryan
1043	DRAFT letter to DRL counsel re Mylan settlement agreement	7/27/2010	eric agovino	charles ryan, peter armenio
1044	2010-07-27 Letter from Agovino to Miller re Mylan Settlement Agreement.doc	7/27/2010	Forest Laboratories, Inc.	
1045	FW: Emailing: Litigation Status Report v.2 4.30.09.doc, Litigation Status Report v.2 8.9.07.DOC, LITIGATION STATUS REPORT-AUGUST 11 2008.doc, Litigation Status Report 3.1.07.doc, Litigation Status Report 3.2.09.doc, Litigation Status Report 3.3.08.do	7/28/2010	eric agovino	john berringer

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1046	Litigation Status Report 5.3.07.doc	7/28/2010	no Author	
1047	Litigation Status Report 3.1.07.doc	7/28/2010	no Author	
1048	Litigation Status Report v.2 8.9.07.DOC	7/28/2010	STOKES	
1049	Litigation Status Report 8.8.07.DOC	7/28/2010	STOKES	
1050	Litigation Status Report December 7, 2009 v.2.doc	7/28/2010	no Author	
1051	Litigation Status Report 3.2.09.doc	7/28/2010	no Author	
1052	LITIGATION STATUS REPORT-AUGUST 11 2008.doc	7/28/2010	VENAGLIA	
1053	Litigation Status Report 8.6.09.doc	7/28/2010	no Author	
1054	Litigation Status Report 3.3.08.doc	7/28/2010	VENAGLIA	
1055	Litigation Status Report 12.4.06.doc	7/28/2010	no Author	
1056	LITIGATION STATUS REPORT- DECEMBER 8, 2008.doc	7/28/2010	VENAGLIA	
1057	Litigation Status Report 5.12.08.doc	7/28/2010	VENAGLIA	
1058	Litigation Status Report 4.30.09.doc	7/28/2010	no Author	
1059	Litigation Status Report v.2 4.30.09.doc	7/28/2010	no Author	
1060	Emailing: Litigation Status Report v.2 4.30.09.doc, Litigation Status Report v.2 8.9.07.DOC, LITIGATION STATUS REPORT-AUGUST 11 2008.doc, Litigation Status Report 3.1.07.doc, Litigation Status Report 3.2.09.doc, Litigation Status Report 3.3.08.doc, L	7/28/2010	joanne mentz	eric agovino
1061	Litigation Status Report 3.3.08.doc	7/28/2010	VENAGLIA	
1062	LITIGATION STATUS REPORT-AUGUST 11 2008.doc	7/28/2010	VENAGLIA	
1063	Litigation Status Report v.2 4.30.09.doc	7/28/2010	no Author	
1064	Litigation Status Report 4.30.09.doc	7/28/2010	no Author	
1065	Litigation Status Report 5.12.08.doc	7/28/2010	VENAGLIA	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1066	LITIGATION STATUS REPORT- DECEMBER 8, 2008.doc	7/28/2010	VENAGLIA	
1067	Litigation Status Report 3.2.09.doc	7/28/2010	no Author	
1068	MemMinutes_July2010.pdf	7/29/2010	no Author	
1069	Memantine Project Team Meeting Minutes (July)	7/29/2010	sandra arias	#corporate project team meeting minutes cc list, allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, kathleen waldron, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, robert imani, sandra arias, stephen graham, terry martin
1070	MemMinutes_July2010.pdf	7/29/2010	no Author	
1071	MemMinutes_July2010.pdf	7/29/2010	no Author	
1072	forest10qjun10 diclosure committee draft.doc	7/30/2010	Forest Labs	
1073	Drafted Agenda: Memantine Project Team Meeting (scheduled 8/2)	7/30/2010	sandra arias	allyson gage, antonia periclou, christine huelster, daniel jia, enamul kabir, kathleen waldron, michael ciraolo, michael niebo, nikhil nayak, pradeep banerjee, puneet sachdev, robert carnevale, robert imani, sandra arias, stephen graham, terry martin
1074	MemMinutes_02August2010.doc	7/30/2010	Sandra Arias	
1075	Fwd: June form 10-q	8/1/2010	elaine hochberg	david hochberg
1076	forest10qjun10 diclosure committee draft.doc	8/1/2010	Forest Labs	
1077	6/30/10 Form 10-Q/Legal Proceedings	8/3/2010	joanne mentz	elaine hochberg, frank perier, lawrence olanoff, marco taglietti, rita weinberger
1078	Litigation Status Report for 8.9.10 v.2 8.5.10.doc	8/5/2010	FBROWN	
1079	FW: 2010-08-10 Armenio to Miller re DRL settlement agreement	8/10/2010	peter armenio	charles ryan, eric agovino
1080	3622097_2010-08-10 Armenio to Miller re DRL settlement agreement.DOC	8/10/2010	no Author	

Ex. 2 - Documents likely to reflect Forest's subjective state of mind concerning patent issues

No.	Document Title	Document Date	Author	All Recipients
1081	Re: Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	melanie rupert
1082	Namenda - Mylan Stipulation of Dismissal	8/25/2010	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
1083	Mylan Stipulation of Dismissal.pdf	8/25/2010	no Author	
1084	Re: Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	melanie rupert
1085	Re: Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	melanie rupert	eric agovino
1086	Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	charles ryan, melanie rupert, michael sohn
1087	Namenda - Mylan Stipulation of Dismissal	8/25/2010	melanie rupert	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, jack b.blumenfeld, maryellen noreika, patrick jochum
1088	Mylan Stipulation of Dismissal.pdf	8/25/2010	no Author	
1089	Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	melanie rupert
1090	Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	melanie rupert
1091	Fw: Namenda - Mylan Stipulation of Dismissal	8/25/2010	eric agovino	charles ryan, melanie rupert, michael sohn
1092	Mylan Stipulation of Dismissal.pdf	8/25/2010	no Author	
1093	Re: Namenda - Mylan Stipulation of Dismissal	8/25/2010	michael sohn	eric agovino
1094	Fw: Forest / Cobalt 08-21 - Stipulation of Dismissal (Mylan) (D.I. 498) and Ltr to Judge Sleet (D.I. 499)	8/26/2010	melanie rupert	charles ryan, eric agovino, gerald flattmann, patrick jochum
1095	Letter to JPML Panel Withdrawing Motion to Consolidate Namenda Actions	1/19/2010	andres sawicki	charles ryan, eric agovino, eric stops, f. dominic cerrito, gerald flattmann, melanie rupert, patrick jochum